

March 21, 2006



**TRANSCRIPT
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MONTGOMERY County COUNCIL

PRESENT

George Leventhal, President	Marilyn J. Praisner, Vice President
Phil Andrews	Howard Denis
Nancy Floreen	Michael Knapp
Thomas Perez	Steven A. Silverman
	Michael Subin



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1 Councilmember Praisner,
2 Good morning, ladies and gentlemen. Welcome to the meeting of the County Council.
3 I'm sure the rest of the colleagues will be joining us shortly, but in the interest of
4 accommodating those who are here, would you please rise for invocation by Rabbi
5 Stuart Weinblatt.

6
7 Marshall Kapell,
8 Actually I'm in for Rabbi Weinblatt. I don't look like him. Rabbi Weinblatt couldn't be here
9 this morning. He's out of town at the moment. I'm Cantor Marshall Kapell; I work with
10 Rabbi Weinblatt at Congregation B'nai Tzedek in Potomac. As we convene today's
11 meeting we are aware of Government's role in creating a just and compassionate
12 society. We are grateful for this wonderful County, where a government serves each
13 citizen. We are also grateful that our Councilmembers willingly assume their sacred
14 responsibility, and we pray that they will be endowed with unfaltering dedication,
15 wisdom, integrity, and sensitivity, so that their labors will bring blessing. We also pray
16 that each Councilmember will find satisfaction and joy in fulfilling their tasks. And so
17 may we appreciate what a gift it is to live in this County. What a blessing it is to be part
18 of a Democracy which unselfishly shares its generosity with all of the world. Let us use
19 the political process to promote the public good, and may the welfare of all be of
20 paramount importance to us. Let us advocate without being adversarial and may we
21 disagree without being disagreeable. Amen, thank you.

22
23 Councilmember Praisner,
24 Thank you, Cantor. Give Rabbi Weinblatt, our regards.

25
26 Marshall Kapell,
27 I will do that.

28
29 Council President Leventhal,
30 Morning.

31
32 Councilmember Praisner,
33 The President's here, good.

34
35 Council President Leventhal,
36 We have a presentation, proclamation and recognition of the Walt Whitman's Varsity
37 Boy's Basketball Team by Councilmember Silverman.

38
39 Councilmember Silverman,
40 Thank you President Leventhal, I'd like to ask Councilmember Denis who represents the
41 district specifically to join me and if you guys could all come on up, don't be shy. This is
42 -- I brought a basketball for you all to sign. For those of us who are vertically challenged
43 we appreciate the hard work that goes into winning a championship. Congratulations,
44 where's Coach Lun? Oh there, man, you're younger than the players are. Come on.
45 How are you doing?



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Coach Chris Lun,
Good.

Councilmember Silverman,
Great to see you, come on up, guys. First title in history. Upset, incredible game, incredible win. I saw the pictures, I read the articles, it's just such an exciting opportunity to talk about the hard work that you all have done all year. My son's in middle school at Key Middle. He's going to go to Paint Branch because he's a basketball player and he thinks he's got a better shot at making the Paint Branch team than Springbrook. So that's why he chose Paint Branch among other reasons, but we're a big basketball fan. I grew up as a Celtics fan, and high school basketball, and the hard work that you guys showed this year. Grittiness and determination is a real testament to you Coach and to everybody on your team, Councilmember Denis.

Councilmember Denis,
I think it was a 39-38 score. Great, great victory. I see Principal Michael Goodwin here. Alan Goodwin, okay I'm sorry.

Councilmember Silverman,
Yeah come up Alan, why don't you guys slide over a little bit and bring everybody in here. We're the short guys up front.

Councilmember Denis,
You have a brother Michael I'm sure. Sorry. I was close.

Councilmember Silverman,
Yeah, just...

Councilmember Denis,
We'd like to...

Councilmember Silverman,
There you go. Go ahead, sir.

Alan Goodwin,
Obviously it's an incredible season and a great, what was especially pleasing was it brought a lot of spirit out of the community. We had 7500 to 8,000 community members at the state final basketball event which obviously helped the boys in their close endeavor. They showed a lot of spunk and intelligence and just sheer determination for overcome teams that were said to be stronger, and we proved -- our boys proved that that was not the case when they brought us home the first victory in our school's history, a first state final, so it was a really wonderful experience.

Coach Chris Lun,



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1 I just want to speak on behalf of all the guys, thank Mr. Silverman for having us up
2 today. And I said it numerous times, and I have to say it again. It's all the things that
3 we've accomplished this year, it's all on the shoulders of the group of kids that we have,
4 a great group of kids to work with, and it's been an unbelievable experience for
5 everybody involved. I think the guys can speak the same way, not only is it an awesome
6 accomplishment, it was just so much fun and that's all because of the kids that we have
7 on our team this year. So I just want to thank them one last time, in front of the public.
8 Guys, thank you very much, it's been awesome.

9
10 Councilmember Silverman,

11 Let me do a quick read of the proclamation before we present it to you, and we're going
12 to get a team picture here. Championship seasons are the result of hard work focus and
13 determination, qualities that the Walt Whitman Vikings demonstrated in abundance in
14 their run to the championship. And in one of the biggest upsets in Maryland tournament
15 history, seventh ranked Walt Whitman with a 25 and 2 record, defeated fourth ranked
16 Eleanor Roosevelt 39-38 to win the Maryland state 4A championship, and whereas this
17 is the first state title for Whitman Varsity Boys Basketball Team and all the players, their
18 families and Coach Chris Lun deserve hardy kudos for setting their sights high, and
19 realizing their dreams. Now therefore be it resolved the Montgomery County Council
20 congratulates the young men of the Walt Whitman High School Varsity Basketball team,
21 and be further resolved that the Montgomery County Council joins with coaches,
22 parents and entire Whitman community in recognizing this wonderful achievement of
23 bringing home the championship banner to Montgomery County. Congratulations guys,
24 great job. Who's your captain? There you go. Sure, we'll get you guys to sign this stuff,
25 but let's get a little photo here. Here, why don't you guys go over there and sign this for
26 us. We'll keep it up here. Congratulations, great job, guys.

27
28 Coach Chris Lun,
29 Thank you very much.

30
31 Council President Leventhal,
32 Congratulations, fellas. Well done. Excellent, we'll turn now to agenda and calendar
33 changes. Ms. Lauer.

34
35 Linda Lauer,
36 Consent calendar, we have a deletion J the action on the resolution to establish a
37 transportation management district in greater Shady Grove. We've pulled it off the
38 agenda; it'll come back before you in a couple of weeks. Add the addition then of
39 introduction of a resolution to prove a mutual aid agreement between the County and
40 Chevy Chase Village on noise control. Work session this afternoon, an additional item
41 we want to include the Wheaton and Long Branch redevelopment projects. Also,
42 tonight's hearing we're moving to the third floor hearing room. We do have a number of
43 petitions we've received, let me just go through those. One for opposing funding for the
44 Quince Orchard Road S Curve. From a petition from the Department of Public Libraries
45 and young patrons of the Gaithersburg Library to support renovation of the Gaithersburg



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1 Library, A petition from Ashburton Elementary School students supporting the
2 modernization of Walter Johnson High School. Another one supporting the
3 modernization of College Gardens Elementary School, and support for the renovation of
4 the Gaithersburg Library.

5
6 Council President Leventhal,
7 Thank you very much. Are there minutes for approval?

8
9 Council Clerk,
10 Yes, you have the minutes for February 28th and March 7th today.

11
12 Councilmember Praisner,
13 Move approval.

14
15 Council President Leventhal,
16 Ms. Praisner has moved, and Ms. Floreen has seconded the approval of minutes, those
17 in favor of approving the minutes will signify by raising their hands. It is unanimous.
18 We'll turn now to the consent calendar, item J on the consent calendar has been
19 deleted the resolution to establish a Transportation Management District in greater
20 Shady Grove. That will come back to us later. Also added is a resolution to approve a
21 mutual aid agreement with Chevy Chase Village. Ms. Praisner has moved and Mr.
22 Knapp has seconded approval of the consent calendar. Ms. Praisner.

23
24 Councilmember Praisner,
25 I just had one question and a couple of comments I wanted to thank Executive Staff and
26 call attention to agenda item A, which is the Management and Fiscal Policy Committee
27 recommendation of approval of executive regulations to implement our modifications to
28 the minority-owned business program, and thank staff for both the Council Sonya Healy
29 and across the street, Mark and folks from procurement for their responsiveness on
30 those issues. Secondly I wanted to thank the Office of the Legislative Oversight. We're
31 releasing, accepting and releasing the base budget review of staff development at the
32 school system. It's a very comprehensive job once again from OLO and I want to thank
33 Craig Howard especially and Ms. Latham for their work on this issue. Finally I had one
34 question for the Public Safety Committee I guess Mr. Knapp on item C, the Executive
35 Regulation Certification Standards for training, experience, and credentialing
36 requirements for the fire department. There were a series of questions that came in
37 from both rescue squad and volunteers and the commission, and I just wasn't sure
38 within the packet how the committee had responded to each of those items that they
39 had mentioned. In particular, I think there were a couple of issues related to training and
40 standards. I just wasn't sure. They appear on circle... I'm sorry.

41
42 Councilmember Knapp,
43 That's okay, that's okay. Let me flip through the papers to make sure.

44
45 Councilmember Praisner,



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1 On circle 46 and 47.

2
3 Councilmember Knapp,
4 Which item are we?

5
6 Councilmember Praisner,
7 And we have Richie Bowers excellent memo to Chief Carr on the meeting. I want to
8 commend everyone from the Fire Department for the way in which you have obviously
9 been working with representatives of the volunteer association. I just wasn't clear about
10 the requirement issue about tanker drivers, et cetera, and what was going on with that
11 issue. Maybe if somebody from fire can respond, that would help.

12
13 Councilmember Knapp,
14 That would be good.

15
16 Councilmember Praisner,
17 It's on circle 47 of the packet. Tanker drivers who've been driving for many years, but
18 don't possess the current EMT certification, so I just wondered how we were dealing
19 with that issue.

20
21 Richard Bowers,
22 Good morning, Richie Bowers, Division Chief, Fire/Rescue.

23
24 Council President Leventhal,
25 Good morning.

26
27 Richard Bowers,
28 Ms. Praisner, Chief Carr, myself, and volunteer representatives and career
29 representatives all met and discussed as you indicated all these items. And as it relates
30 to your question, specifically on the Tanker drivers, some of the concerns that we
31 discussed was the fact that these units are operated usual by one person. And typically
32 that person responds after all the other units have already gone, and one of the issues
33 related, safety issues related is they may come upon another accident or another
34 incident in which they may have to provide assistance. So, one of the things that was
35 discussed was making sure that everyone that rode and drove Fire/Rescue and EMS
36 units had the proper certification to provide service, should there be that need as a
37 responding to or returning from an incident. And then some of the other discussions as
38 it related to tanker drivers, the fact that that those are the most serious accidents that
39 occur for our rescue vehicles.

40
41 Councilmember Praisner,
42 Where a tanker driver would arrive, so is there going to be an effort to try to respond to
43 make sure these individuals who have been driving without certification have an
44 opportunity to get their certification?



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1 Richard Bowers,
2 Yes.

3
4 Councilmember Praisner,
5 Okay, thank you very much.

6
7 Councilmember Knapp,
8 And to that point, Ms. Praisner, one of the things we've tried to do to the whole
9 certification process was to not have it be a rigid process. To have the goals and
10 objectives very clear so that everyone's working there pursuant to the conversation we
11 had at the reorganization legislation. And concerns have been raised throughout the
12 process and I believe we had three work sessions. The idea was everyone was clear on
13 the expectation but to make sure there were efforts to not play gotcha. So if people
14 didn't necessarily meet a specific level of certifications, but to really have a level of
15 remediation and a retraining phase so that there was no way that we were going to be
16 losing people in this process, it was just to make sure that we finally got everybody
17 forward to that same standard.

18
19 Councilmember Praisner,
20 I want to compliment as I read through the packet, I want to complement both volunteer
21 association and you, Mr. Bowers and Chief Carr as well on the whole way in which
22 you're approaching the dialogue, the back-and-forth exchange, the attempts and efforts,
23 obvious significant efforts to try to reach an understanding and to not be rigid about the
24 application as we go through the process. I think will serve us all so thank you.

25
26 Richard Bowers,
27 Thanks you, I also wants to acknowledge Minna and Georgia, they did a tremendous
28 amount of work so thank you all.

29
30 Council President Leventhal,
31 All right, the consent calendar is now before the Council. Those in favor of its approval
32 will signify by raising their hands. It is unanimous. Turn now to legislative session. Do
33 we have a legislative journal for approval? No legislative journal for approval and no
34 bills to introduce. We have, there's nothing to move. Nothing to move, nothing to
35 approve.

36
37 Councilmember Praisner,
38 He's in a good mood, let him move.

39
40 Councilmember Silverman,
41 I'll second it.

42
43 Council President Leventhal,
44 Okay. We have a bill for final reading; Bill 28-05 building permits adequate public
45 facilities. Chairman Silverman.

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1
2 Councilmember Silverman,
3 Thank you, Mr. President. This is a unanimous PHED committee recommendation with
4 Councilmember Floreen absent on Council business. This is a building permit adequate
5 public facilities legislation requested by the Planning Board. This will revise the
6 provisions for determining the adequacy of public facilities with respect to applications
7 for building permits on already recorded lots. It will shift authority to decide the
8 adequacy of certain public facilities from recorded lots from the Department of
9 Permitting Services to the Planning Board and repeal obsolete loophole property
10 provisions that expired in 2001. There was an amendment which was accepted by the
11 committee involving exempting site plan applications covering smaller buildings. Those
12 where there were increases of a thousand square feet or less that were filed before the
13 Bill takes effect from the bills expanded requirements for replacement buildings. And we
14 modified it to exempt applications filed before the Bill becomes law rather than before it
15 takes effect. That is 91 days earlier. Committee unanimously recommends approval.
16

17 Council President Leventhal,
18 Okay. The committee's recommendation for approval of Bill 28-05 is before the Council.
19 The clerk will call the role.
20

21 Council Clerk,
22 Mr. Denis.
23

24 Councilmember Denis,
25 Yes.
26

27 Council Clerk,
28 Ms. Floreen.
29

30 Councilmember Floreen,
31 Yes.
32

33 Council Clerk,
34 Mr. Subin.
35

36 Councilmember Subin,
37 Yes.
38

39 Council Clerk,
40 Mr. Silverman.
41

42 Councilmember Silverman,
43 Yes.
44

45 Council Clerk,



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1 Mr. Knapp.

2
3 Councilmember Knapp,
4 Yes.

5
6 Council Clerk,
7 Mr. Andrews.

8
9 Councilmember Andrews,
10 Yes.

11
12 Council Clerk,
13 Ms. Floreen, I mean Ms. Praisner.

14
15 Councilmember Praisner,
16 Yes.

17
18 Councilmember Silverman,
19 Second.

20
21 Council Clerk,
22 Mr. Leventhal.

23
24 Council President Leventhal,
25 Mr. Perez is present if he wishes to vote. Okay, and yes for Mr. Leventhal. It is
26 unanimous 9-0. Turn now to District Council Session. We have a subdivision regulation
27 amendment 05-03 regarding adequate public facilities validity period. Chairman
28 Silverman.

29
30 Councilmember Silverman,
31 Thank you, Mr. President. This is subdivision regulation amendment 05-03. Again
32 sponsored by the Council President at the request of the Planning Board. This will
33 clarify and recodify the validity period of had a finding of adequate public facilities by the
34 Planning Board and the process and standards to extend a finding of adequacy, and
35 repeals certain obsolete temporary pre-AGP provisions requiring adequate public
36 facilities findings. There were two substantive amendments. The first one is funded
37 infrastructure. This was an amendment requested by the owners of Waters Landing
38 Corporate Park, an amendment allowing the Planning Board to extend a finding of
39 adequate public facilities for up to 12 more years, when the applicant may not have
40 started construction of the proposed development but has built the required
41 infrastructure, or made a significant infrastructure contribution. This would amend the
42 current law which requires at least 40% of nonresidential projects and 50% of residential
43 projects to be built or at least have a building permit issued before the Planning Board
44 can approve APF extensions. The Planning Board did oppose the amendment but the
45 committee and I believe Ms. Floreen who was absent joined in support of this so this is

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1 a committee recommendation. The reasoning for this was the significant investment that
2 has already been made in this project and that they are scheduled to start construction,
3 I believe it's this fall, on the road which will benefit not only this development but also
4 benefit the surrounding community. The second amendment was to allow the Shady
5 Grove Life Sciences Center to finish building. This will again allow the Planning Board to
6 extend the APF validity period for up to another six years if either development has no
7 more than 30% remaining to build, or the developer will reduce the size of the
8 development by 10%. That was I believe Ms. Praisner and I supported that. Ms.
9 Praisner was in the minority on the earlier amendment. We also had a technical
10 amendment which we approved to resolve an issue regarding issuance of building
11 permits for certain underground parking. The legislation does not require the Planning
12 Board to grant these extensions, but authorizes the department, the Park and Planning
13 Commission to grant these extensions. So we have essentially 2-1 vote on the first
14 majority committee recommendation on the first amendment, and unanimous on the
15 other two amendments.

16
17 Council President Leventhal,
18 Mr. Knapp.

19
20 Councilmember Knapp,
21 Thank you, Mr. President. I just wanted to speak in support of these amendments. The
22 first one is particular as it relates to Germantown and is a critical element of the
23 commercial corridor that we are in the process of trying to actually move forward and
24 correct the jobs housing imbalance we have in Germantown. We've got the houses just
25 not the jobs yet, and clearly a significant commitment has been made on the part of
26 [Lerner], and they are a part of a broader group that we brought together to really put
27 together the elements that explore how we make sure that the commercial sector in
28 Germantown really moves forward. And by modifying this, I think it really creates quite a
29 hindrance to us moving forward in those commercial efforts. And so I wanted to speak
30 in support of this amendment and thank the PHED committee for their efforts.

31
32 Council President Leventhal,
33 Ms. Praisner.

34
35 Councilmember Praisner,
36 On that item I did not support t I'm not going to oppose the subdivision reg but, I do want
37 to make a point that the current extension limit on the item number one is six years for
38 large facilities. So it is clear in this though, that it is not an automatic extension for 12
39 more years. And that the Planning Board can extend it for one year, can extend it for
40 two, can extend it to whatever capacity they think. And having not done any
41 construction, the question of how much the Planning Board wants to extend it is very
42 much at their discretion.

43
44 Council President Leventhal,



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1 All right, very good. The PHED's recommendation in favor of subdivision regulation
2 amendment 05-03 is now before the District Council. The clerk will call the role.

3
4 Council Clerk,
5 Mr. Denis.

6
7 Councilmember Denis,
8 Yes.

9
10 Council Clerk,
11 Ms. Floreen.

12
13 Councilmember Floreen,
14 Yes.

15
16 Council Clerk,
17 Mr. Subin.

18
19 Councilmember Subin,
20 Yes.

21
22 Council Clerk,
23 Mr. Silverman.

24
25 Councilmember Silverman,
26 Yes.

27
28 Council Clerk,
29 Mr. Knapp.

30
31 Councilmember Knapp,
32 Yes.

33
34 Council Clerk,
35 Mr. Andrews.

36
37 Councilmember Andrews,
38 Yes.

39
40 Council Clerk,
41 Mr. Perez.

42
43 Councilmember Perez,
44 Yes.



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Council Clerk,
Ms. Praisner.

Councilmember Praisner,
Yes.

Council Clerk,
Mr. Leventhal.

Council President Leventhal,
Yes, it is unanimous 9-0. We now have the introduction of zoning text amendment 06-08. There are no comments on this as far as I can see. We need a resolution to establish a public hearing on April 25th. I need a motion for a resolution.

Councilmember Praisner,
So moved.

Council President Leventhal,
And a second to establish a public that's correct.

Councilmember Perez,
Second.

Council President Leventhal,
Mrs. Praisner has moved and Mr. Perez has seconded a resolution to establish a public hearing for April 25th, at 1:30 p.m., those in favor will signify by raising their hand. The resolution carries unanimously. We now turn to the work session on the FY '07 through '12 capital improvements program, we have a number of T&E items before us, beginning with conservation of natural resources, agricultural land preservation, storm drains, and storm water management. Chairwoman Floreen.

Councilmember Floreen,
Thank you, Mr. President. The first item coming out of the T&E Committee as you mentioned, is the agricultural land preservation easement program. I do not see Jeremy Criss here but this is a program funded by a variety of sources to acquire and preserve agricultural land. This is the other side of all our work on sewer extension policy, and the like within the RDT zone. The recommended appropriation that the committee fully supports is \$8.425 million, it is not, it is funded by investment incomes, state aid, and the agricultural transfer tax. There is a program that has been drafted, the building lot termination program, which we hope will be a vehicle for ensuring that the remaining TDR is left on agricultural land are acquired, so we could be absolutely assured that that land will continue in agricultural use. So there is a draft out. I know that the Department of Economic Development and Mr. Criss in particular are working on that and we will be monitoring that in the T&E Committee. So that's the committee recommendation on that.



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1 Council President Leventhal,
2 Okay, any questions? Yes, Ms. Praisner.

3
4 Councilmember Praisner,
5 I just wanted to comment that we've already begun to receive correspondence from
6 folks raising questions, not necessarily objecting but raising questions about the building
7 lot termination program. I think it is very important that while I appreciate Mr. Criss'
8 efforts in working within the traditional communities, I think it's important that we have
9 broad understanding throughout the County of what the potential initial public cost
10 implications are of this program. And therefore, hope that our staff and the Department
11 of Economic Development will do a comprehensive outreach from a standpoint of the
12 need for the public to understand the costs. Because there are potentially, it seems to
13 me, significant costs here.

14
15 Council President Leventhal,
16 Let me just comment on the building lot termination program. Last week, the T&E
17 Committee unanimously recommended that a task force be created including
18 community members and staffed by the Planning Board, the Executive Branch, and the
19 Council that would review the [INAUDIBLE] of AG Reserve preservation issues now
20 before the Council including the building lot the termination program, including the
21 administration of the TDR program, including the abuse of child lots, and including sand
22 mounds and that a resolution creating that task force is expected to be before the
23 Council, or at least introduced next week, and we will have I hope an opportunity for
24 communities members to interact extensively with that task force and with staff, and that
25 will provide guidance to us as to how this building lot termination program fits with our
26 overall efforts to preserve the reserve. I agreed with and I voted for in committee, the
27 inclusion of this program in the CIP even though I acknowledge that some details
28 remain to be worked out as to exactly how it will be administered. Precisely how much it
29 will cost, and how it will fit in the overall mission in the AG Reserve. But I thought it
30 made sense to go ahead and adopt this now to signify our intent to improve the use of
31 TDRs and make them more effective. Even though I acknowledge Ms. Praisner's
32 observation that there's much yet to be worked out insofar as how this program will be
33 administered.

34
35 Councilmember Praisner,
36 Let me just say that we fully appreciate that this is a work in progress. Mr. Criss we're
37 discussing your building lot termination program. The fact remains that we think we
38 need a large, a long list of tools available to the County and to the agricultural
39 community to support the future of agriculture in Montgomery County. So the challenge
40 of all this is that the hip bone is related to the thigh bone here and we want to make sure
41 that we avoid the unintended consequences, and that we come out with a fully
42 coordinated approach here that really gets all the stakeholders at the table and fully
43 appreciative of the implications of these various important initiatives. So this is a
44 beginning and this is just one part of that initiative is the Council President has
45 indicated.



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1
2 Council President Leventhal,
3 Mr. Knapp followed by Mr. Silverman.

4
5 Councilmember Knapp,
6 Thank you, Mr. President. I just want to thank Jeremy and Mr. Edgerly for their efforts
7 on this and the County Executive. We've obviously spent a lot of time talking about the
8 AG Reserve over the last year and deservedly so, and I think our approach is to really
9 trying to get as comprehensive an approach as we possibly can. And I think that this
10 building lot termination program, while in conceptual design, is something that really
11 pulls all those pieces together, and so I agree that there are a lot of details in this that
12 still need to be worked out, but we need to keep in mind that again, this is one more
13 piece in what we hope will be a more comprehensive approach that we hoped to have
14 last fall but we still don't have, and so hopefully through a task force or through some
15 other mechanism we can see how all these pieces are connected. But I think the BLT
16 from at least the conceptual discussions I've had with everyone is at least a way for us
17 to tie all of these things together, and so I thank you for your efforts. I thank the
18 committee for their efforts on this, and I would urge us to move expeditiously to get this
19 in front of us. To Ms. Praisner's point, undoubtedly we need to make sure that we've got
20 everyone's perspectives brought to the table, but I think that this is again, all the pieces
21 have tied together and everything we've done then kind of has another set of
22 circumstances we need to address. And I think this doesn't culminate all those pieces
23 but certainly brings a lot of them together so we need to get it on the table sooner than
24 later so I thank you all for your efforts.

25
26 Council President Leventhal,
27 Mr. Silverman. Ms. Praisner.

28
29 Councilmember Praisner,
30 Well I want to comment because while the building lot termination program may be a
31 useful tool when we talk about preserving land for agricultural, I'm not sure it preserves
32 agriculture in the AG Reserve. And as I've tried to say on several occasions, preserving
33 the land is an important piece to be available for agriculture in whatever iterations it is
34 whether it has moved from dairy to horse to horticulture to whatever may be its
35 elements. But having a, farming as a viable long-term career and profession and having
36 access to the products from farming is a lot more than just preserving the land. It's an
37 important piece, but it's much more than that, and that's why I've urged my colleagues
38 to not focus. I know it's a hard nub, the lands use issues but we have to go beyond that,
39 and that's why I've suggested that the University of Maryland and others may help us
40 with the comprehensive issues of how from a government perspective we can work not
41 necessarily with government programs to do some of these issues. And for the rest of
42 the community, there is a broader need to fully understand the implications and the
43 potential of some of these programs.

44
45 Council President Leventhal,



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1 Well, let me just comment. I have appreciated the outreach that you've done, Vice-
2 President Praisner, to the University of Maryland and it may well be that some of the
3 resources there could assist with this task force endeavor. So let's talk about that. We're
4 going to introduce a resolution a week from today. We won't act on them until the
5 following week so we have ample time to consult with all Councilmembers as to the
6 composition of this task force and to get significant input from the Planning Board. I'm
7 scheduled to speak with the Vice-Chair of the Planning Board today to solicit her
8 involvement, and I believe I'm not sure about this, that the Planning Board may be
9 talking about this AG task force at its session on Thursday. So this is the work in
10 progress as Chairwoman Floreen said. Mr. Knapp.

11
12 Councilmember Knapp,

13 Thank you Mr. President. I'm glad the Planning Board is going to finally talk about
14 agriculture since a couple of asked us last September. So I look forward to their
15 discussion, but I agree whole-heartedly with Ms. Praisner. Preservation of agriculture is
16 not just preservation of the land. It's making a viable agricultural industry and I think we
17 are all very committed to doing that and this is one more tool in making sure that the
18 economics of the land allow for the viability of that industry to be ongoing. And so I think
19 this is a good step. But it is by no means the thing that's going to solve all of our
20 problems. It is just one more piece in an array of things that we need to address to
21 make sure in the next 25 to 50 years we continue to have a thriving agricultural industry.
22 So, I agree and want to work to make sure we have all of those pieces in place.

23
24 Council President Leventhal,

25 Okay, with that is there an objection to the preliminary adoption of the T&E Committee's
26 recommendation regarding agriculture land preservation easements. Hearing no
27 objection the committee's recommendation is adopted. We now move to agenda item
28 number eight, again from the T&E Committee, conservation of natural resources, storm
29 water management and storm drains. Chairwoman Floreen.

30
31 Councilmember Floreen,

32 Thank you Mr. President. We recommend approval of the storm water management
33 budget as recommended and with respect to storm drains, we recommend approval
34 with some changes. The main things in the storm water management CIP have to do
35 with facility planning, a variety of stream valley improvements, and probably most
36 significantly the Montclair Manor flood mitigation project. As you will recall, we have
37 approved this as a supplemental appropriation and recommended PDF is consistent
38 with that. That's a storm drain problem over on Viers Mill road. Likewise, funds are
39 included for storm water management facility structural repairs, storm water
40 management retrofits County wide Watershed restoration through interagency activities
41 and the committee is fully supportive of those initiatives. Our bigger challenges are on
42 the specific projects. The storm drain program within communities, and this is on page
43 five through eight of the staff memo on this item. I'd like to bring your attention to the
44 committee recommendation for storm drains in general, that we recommend that the
45 fiscal seven appropriation be increased to cover the first two years of expenditures \$2.3

15

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1 million of our recommendations. And that would take care of a variety of a number of
2 hotspots. Our most controversial one has been in the Sonoma community and there is
3 an addendum to the agenda for item eight which shows a revised PDF. This is a
4 situation where DPWT has been working with a community over several years to
5 address the serious drainage problem in that area, and of course, as the details have
6 gotten delved into by the department, community spirits have run high over the issue.
7 We've spent a lot of time in the communities as has DPWT and they have made some
8 adjustments in the road way improvements necessary to support the drainage issues in
9 the Sonoma community. In February after listening to the community, the committee
10 had recommended that this project be delayed further in order to address further
11 community concerns. After that action, we heard even more communications from this
12 community, and I've got to compliment everybody on every side of the issue, because
13 they have really worked hard to address the specifics of the project and the way that
14 would address their homes, their tree cover and most particularly the width of the
15 streets in the community. After hearing further from the Sonoma community, we've
16 revisited our, the committee has revisited its recommendation and it recommends that
17 the project proceed as DPWT had proposed it without further delay. There has been
18 significant involvement of community members on both sides of the issue here. And
19 while not everyone is happy, we really do feel that there has been a good strong
20 community engagement here and a good attention to the details that affect people most
21 significantly. And that I have to compliment Mr. Johnson for spending many hours with
22 the Sonoma communities and really coming up with a compromise project. Where in
23 response to community concerns and number of the street widening elements of this
24 project necessary to support the storm drains and the associated utility issues. That has
25 been, their plans have been adjusted already to accommodate a portion of the
26 community, and the other parts of the community who have equally strong concerns
27 about parking and traffic control concerns and the like have been addressed to some
28 degree. As I indicated, not everyone is happy, and of course, this has driven up the cost
29 of the project by almost \$600,000. But we think that the time put into this to date has
30 been well spent and effective and responsive, and so we recommend approval of the
31 Sonoma storm drain improvements as shown on circle 16 through 17 of our packet. So
32 that's the committee recommendations on that.

33
34 Council President Leventhal,
35 Mrs. Praisner.

36
37 Councilmember Praisner,
38 I had a question about facility planning in storm drain projects and the extent to which
39 we can improve the process such that we have better numbers earlier, or before we
40 plug in the costs of storm drain projects so we don't have these kinds of escalating costs
41 of these kind of magnitude of numbers.

42
43 Councilmember Floreen,
44 I think that's a good point Ms. Praisner, and I think we need to focus on that. The
45 challenge with these is a storm drain is not just a storm drain. It involves, once they get



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1 into it, the community issues of pavement, especially in older communities. They're
2 looking at some major retrofit issues and you'll see that in the, some of the sidewalk
3 programs that we're going to look at next.

4
5 Councilmember Praisner,
6 Right but ...

7
8 Councilmember Floreen,
9 They have evolved into a community renovation projects to a certain degree, and I think
10 we need to give some thought to the better characterization of these projects and how
11 we analyze them for funding purposes.

12
13 Councilmember Praisner,
14 Well, but the question then becomes the source of funding.

15
16 Councilmember Floreen,
17 Yep.

18
19 Councilmember Praisner,
20 And whether WSSC piece or not when you're talking about revitalizing the, you know,
21 the infrastructure of an area and whether there are sidewalks or there aren't. Maybe we
22 need to, when we go into a community for our neighborhood initiative the title now
23 escapes me and I now apologize, but where we identify curb, the renew Montgomery
24 initiatives. We also tell the community there are certain parameters of things, and we
25 don't, we provide a little bit of box within which assessments can occur and the
26 guidelines can occur. If you're talking about going beyond what might be the storm drain
27 issues, and doing some other things at the same time, the question then becomes if
28 that's the, as I think Mrs. Floreen is leading, suggesting as well, the question becomes
29 whether that is appropriately in that PDF or whether those issues come somewhere else
30 or, and how much is WSSC's obligation and how much we can, or what we're doing and
31 what we can't do. So either we do some boxing of the project, so to speak, to begin
32 with, or we identify the parameters of what's being looked at. And we identify within
33 facility planning the magnitude of what will be assessed and then we've conversation
34 with the community before we plug numbers in. Or we give them the numbers and tell
35 them it's within this context that we will be working in your neighborhood, which is what
36 we do with renew Montgomery. So, and I'm not suggesting that we shouldn't do this. I
37 support responding to the community issues. But I think we need to associate and
38 ascribe the cost appropriately and we need to do, we need to reevaluate the way we do
39 facility planning for these types of projects.

40
41 Council President Leventhal,
42 Okay.

43
44 Councilmember Floreen,
45 General Holmes, did you want to make any other comments about this generally?



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1
2 Art Holmes,

3 I think that we need to look at that, this was a comprehensive look, and it was look with
4 the community. There were changes, but these were changes that were directly in
5 response to community groups, so that's why you have some of the growth in the
6 program.

7
8 Councilmember Floreen,

9 With that, Mr. President, that's the committee's recommendation.

10
11 Keith Levchenko,

12 Just wanted to confirm the PDF that Ms. Floreen is suggesting the Council approve is
13 the one attached in the addendum packet. Which is essentially the Executive's
14 recommended with some revised costs related to the WSSC portion of the project.

15
16 Council President Leventhal,

17 Very good. Is there objection to adoption of the committee's recommendations
18 regarding storm water management and storm drains? Hearing none, the Council
19 approves the committee's recommendations. And that takes us to agenda item number
20 9 solid waste services. Chairwoman Floreen.

21
22 Councilmember Floreen,

23 And I'm going to turn this over to Councilmember Perez.

24
25 Council President Leventhal,
26 Mr. Perez.

27
28 Councilmember Perez,

29 We have got a lot of people in the audience very excited about the solid waste services.
30 I appreciate the interest in that. But I have a feeling you're here for something else. A
31 solid waste services are, indeed, our future in Montgomery County. And so anyway...

32
33 Councilmember Silverman,

34 Talk about that moral thing you wanted to talk about.

35
36 Councilmember Perez,

37 Budgets are moral documents, and if we don't support solid waste, what kind of a
38 community are we, dad gummit. So anyway, the CIP for solid waste services consist of
39 one ongoing project, the transfer station and related ancillary services which was first
40 approved by the Council as part of the FY '05-10 CIP. The increases in expenditures in
41 FY '07 which are noted on actually page 1 of the packet agenda item 9, \$7.3 million
42 basically. These are reflective of the expenditures previously approved for the transfer
43 station and related ancillary services. We've spent some time talking about the Gude
44 Drive processing facility and that was first introduced, I believe, back in September of
45 last year. The supplemental appropriation request for the transfer station and related

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1 ancillary services project of \$3.25 million for the purpose of the property owned by
2 WSSC on East Gude Drive. The T&E Committee agreed to defer discussion on the
3 Gude Drive land fill and recommended that the FY '05-10 CIP creating the stand alone
4 project be deferred pending this review. We obviously talked about this issue in the
5 context of the Shady Grove master plan. The County Executive on the 12th of January
6 transmitted to the Council supplemental appropriation of \$7.2 million for the ongoing
7 project. The T&E Committee discussed this issue and we recommend approval since
8 the Gude Drive land purchase issue was indeed deferred. The committee
9 recommended that the expenditures related to the land purchase remain in the current
10 project for the time being, and on the fourteenth the Council approved the transfer
11 station and related ancillary service project amendments with the changes
12 recommended by the committee. So, that is in a nutshell what we're doing in the T&E
13 committee on solid waste services. Obviously the Gude Drive land purchase issue
14 which we're deferring for now as very important issue in District 3 and affecting the
15 County as it relates to a number of potential uses for that. So that's the report of the
16 committee Mr. Chair, Mr. President, I should say.

17
18 Council President Leventhal,
19 Well, excellent Mr. Perez. I thank you for not wasting our time, and I hope that the
20 Council will not trash the committee's recommendations. [LAUGHTER] Is there
21 objection to the recommendations of the T&E committee.

22
23 Councilmember Silverman,
24 I think we spent enough time on it.

25
26 Councilmember Perez,
27 Well, we can go back.

28
29 Councilmember Silverman,
30 Let's recycle it.

31
32 Councilmember Perez,
33 Mr. Andrews, your turn. You're usually a big part of this.

34
35 Councilmember Andrews,
36 That's all right, you've covered it all.

37
38 Council President Leventhal,
39 Hearing no objection, the committee's recommendations on solid waste services are
40 adopted. We now turn to transportation. Chairwoman Floreen.

41
42 Councilmember Floreen,
43 Moving right along, I just want to ask General Holmes if they wanted to make any
44 general comments about the proposed capital improvements program from the County
45 Executive side of the table before we get into it.



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1
2 Art Holmes,
3 Just a couple.

4
5 Councilmember Floreen,
6 Press your button there, Art.

7
8 Art Holmes,
9 Just a couple. I want to thank the Council for allowing us some additional time to find an
10 alternative that will allow to us reconfigure and upgrade the Brookfield depot. I want to
11 personally assure the Council that DPWT.

12
13 Councilmember Floreen,
14 We didn't know that yet, I was going to mention that. We're going to take the Brookfield
15 depot up...

16
17 Art Holmes,
18 I thought that had been arranged. I'm sorry.

19
20 Councilmember Floreen,
21 Later.

22
23 Art Holmes,
24 I apologize. Okay. Second I'd like to recognize and thank the Chair and the committee
25 members of the T&E Committee and the County Exec and the OMB for their initiative to
26 begin to work with in partnership with the State Highway Administration, to develop
27 funding packages to facilitate construction of state projects that will when completed
28 provide significant congestion relief. As you know, this metropolitan area is the third
29 worst congested area in the country and congestion relief is a high-priority with our
30 residents. We've had spirited and comprehensive discussions in the T&E Committee,
31 and we're here to answer your questions or provide additional information.

32
33 Councilmember Floreen,
34 Okay.

35
36 Council President Leventhal,
37 Please proceed, Chairwoman Floreen.

38
39 Councilmember Floreen,
40 With that, let me just revisit the point Mr. Holmes made. The issue of the plan for the
41 Brookfield depot which includes the issue of how we're going to fuel the buses to serve
42 the Silver Spring area is one that we've taken off for today, and we'll come back to.
43 Likewise, the North County Maintenance Depot issue requires some additional
44 information.



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1 Glenn Orlin,
2 Ms. Floreen, on that I just want to say it was waiting for the arrival of the program of
3 requirements, and we did just get it yesterday, so we have it now.
4

5 Councilmember Floreen,
6 Well, you have it.
7

8 Glenn Orlin,
9 It'll go to the committee on...what I'm saying it'll go to the committee on April 6.
10

11 Councilmember Floreen,
12 In that category is the traffic signal system modernization issue. We'll be coming back to
13 parking districts and as Director Holmes indicated, the recently announced infusion of
14 dollars into the County's transportation program that the committee has not had a
15 chance to deal with directly, but where we very strongly feel we need to start moving
16 with the state to move up our biggest problem intersections and projects is in process,
17 and we hope that we will be getting from the Executive and from the state a better
18 proposal as to exactly how those funds will be expended, and for what projects exact
19 exactly in the coming weeks. I know you all are working hard. I commend you, I know
20 that Neil Peterson and Secretary Flanagan have been involved, and we're very
21 optimistic that we will be making some progress. The policy of the County not engaging,
22 I guess in the past 15 years or so, of not really engaging with the state on our most
23 problem intersections are one, is an issue that the committee unanimously felt needed
24 to be revisited and we looked at so that we could make some progress in our biggest
25 problems. That's the good news. The bad news that as proposed the transportation
26 program that came over reduced...
27

28 Council President Leventhal,
29 Madam Chair, Ms. Praisner has a question on the last item.
30

31 Councilmember Floreen,
32 Okie-doke.
33

34 Councilmember Praisner,
35 I wanted to comment on the last item. I thought there was a good reason why we initially
36 said that the state's responsibility should be funded by the state and that's because we
37 were seeing no partnership. We were seeing total County funding of state obligations. It
38 wasn't even a school construction forward funding initiative where we received
39 reimbursement. We've received no reimbursement for any of the state projects that we
40 funded is my recollection anyway. Mr. Orlin's nodding, for the benefit of those who don't
41 have a camera on Mr. Orlin. So, to the extent Howard County and others have
42 negotiated a relationship with the state where the state is at least kicking in some of the
43 dollars that they should be funding totally for projects, I think that's a different scenario
44 and one that we should continue to explore and engage in. Where I have a problem is
45 when the state starts to cherry pick among the projects and ignores our list of priorities.



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1 We spent time on those priorities and they have a meaning and a relationship from a
2 standpoint of the County and the Council, and I believe there should be some respect
3 for that on the part of the state. To wit: I would again comment that the U.S. 29 Fairland
4 Road Interchange does not have broad community support, it does not add significant
5 capacity. It just moves the traffic down Route 29 faster, congestion now begins and the
6 issues of moving and speeding down to Tech Road and then coming to a screeching
7 halt occur even earlier now on 29. The designs of the interchanges that have been done
8 are not unanimously meeting with cheers and raves on the east side of the County. The
9 master plan calls for evaluation of the interchanges As they are done to see what
10 benefit there is both to the residents there and to traffic on 29, And I believe that project
11 is number 11 or 12 on the list. So to say that we will, you know, cherry pick down and
12 fund number 11 while ignoring those that are three, four, or five is something that I think
13 we need to be aggressive with the state about. After all, they wouldn't be doing them at
14 all if it weren't for County money and I think the leverage is ours. So I just would
15 reiterate that we have a priority list and we should be abiding by that priority list, and not
16 allowing the state to dictate to us where we spend our money, granted it's their money
17 too, but it does move things along. And given the problems that we're having with the
18 interchanges, especially the Cherry Hill Road interchange, I think we should, and the
19 fact that the evaluations have not been done, I think we should move very cautiously on
20 that item. And I don't support going forward with state money on that and County money
21 on that item at this point in time.

22
23 Council President Leventhal,
24 Mr. Silverman.

25
26 Councilmember Silverman,
27 Thank you, Mr. President. I just want to pick up on Ms. Praisner's comments. I
28 appreciate the hard work of the department and the Executive and Ms. Floreen in terms
29 of working to move us in the direction of some type of a partnership on funding state
30 transportation projects. We've been doing it for years on schools. We didn't call it that
31 but we have as a practical matter been continuing to build schools even when the state
32 hasn't picked up its appropriate share of school construction. And we, I don't believe,
33 can wait any longer for the state to expand the transportation trust fund. This Governor,
34 and frankly, the General Assembly doesn't seem to be interested in putting the
35 resources in that would allow some of these projects to get built. So I'm very supportive
36 of the effort that is ongoing. I do share Ms. Praisner's concerns and this is not the time
37 we'll be actually voting on anything. But I do share her concerns about the U.S. 29
38 Fairland Road interchange for the reasons that she said, not the least of which there are
39 a whole host of priorities that we have and this is not the top of them. I'm also mind if
40 you will of the fact that compromise is part of the deliberative process, and it may be
41 that to get a package where the state will be putting monies in, and will be putting
42 monies in, we may not get every single priority in the priority order that we have. So
43 we'll get to a point, I would assume, when a decision would actually have to be made
44 about this but I do want to at least share Ms. Praisner's concerns about this particular
45 interchange, thank you.

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Council President Leventhal,

Okay, I'm going to ask a question of Mr. Orlin. Correct me if I'm wrong, my understanding here is, and I'd actually like you to direct me to the PDF where we do this. My understanding is that the County Executive is suggesting the T&E Committee has agreed that money should be set aside for the purpose of negotiating with the state, which projects may be accelerated with an enhanced contribution of local funds. That in this CIP we have not identified the specific list of projects that will be accelerated and as the negotiations going forward DPWT will keep the T&E Committee informed of which projects will be working on, and the T&E Committee and the Council will have the opportunity to give guidance to DPWT as this moves forward. So what we're, and can you just tell me Glenn, which page of the PDF that sets this money aside?

Art Holmes,

It's not here yet, the Executive is going to be sending over a PDF next week or so.

Council President Leventhal,

So, bottom line, and I think it was \$80 million that was set aside for this general concept. We're discussing a concept, we are not outlining exactly which intersections and exactly which projects. We do know that the Council and the Executive together sent to our legislative delegation a priority list and it is reasonable to assume since those are the County's priorities that projects such as those mentioned in Glenn's memo, the 355 Montrose Road interchange and the Georgia Avenue/Randolph Road overpass underpass are major congestion relief projects, that if we have to wait for the state, you know, my kids in elementary school will probably be graduating college at a minimum by the time they're built whereas if we commit some amount of local dollars it speeds up the ability of our commuters to get congestion relief.

Art Holmes,

We would, as you say, this is a work in progress and we would have to look at things such as how ready are the projects, what will you get for the project in terms of relief in congestion. So this is something that we're just beginning to work with, and we'll certainly have to come back to the Council for the Council to tell us okay, it's okay for these particular projects.

Council President Leventhal,

I just want to comments to my good friend and colleague the Council Vice-President. I really enjoyed going to the MACO meeting a few months ago and you've been our leader at MACO and I got great benefit out of interacting with other County officials there, and one of the exchanges I had was over dinner with Howard County Executive Jim Robey and when I complimented him on some of the progress that had been made in that County on road projects including Maryland 100 and including Route 29, and that he had seemed to have a pretty good interaction with the state that the state had managed to get those projects done expeditiously. He commented the state didn't do it, we did it. We committed our money and we made those things happen, and there



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1 wouldn't be a Maryland 100 now if Howard and Anne Arundel County wouldn't have
2 made these arrangements with the state. So while I share your interests in making sure
3 we have close communication with DPWT and with MDOT and SHA as to which
4 projects in which orders, as a concept, I think I support this concept. I think it is true that
5 County roads, if we restrict our County program only to County roads we're not going to
6 provide the maximum amount of congestion relief. The roads in this County that most
7 people drive on are state roads. The major roads that frustrate people when they're
8 stuck on them, Georgia Avenue, Wisconsin Avenue, Rockville Pike, so many, Route 29,
9 Route 28, are, Route 650, Route 320 which is the road on which I live, I live on
10 Maryland Route 320.

11
12 Councilmember Silverman,
13 Can we do do something about that right away?

14
15 Council President Leventhal,
16 This is a concept that I support, I'm glad we're implementing it, and we will continue to
17 monitor this very carefully in the T&E Committee and in the full Council. Chairman
18 Floreen.

19
20 Councilmember Floreen,
21 Yes, let me say I absolutely agree with Ms. Praisner about sticking to our priority list,
22 and we will work very hard, and of course, the full Council will have the final say, how
23 monies are spent. And it's a challenge as I think Mr. Silverman just said, sometimes you
24 have to make a deal. But the overall driving objective here is to get dollars into solving
25 our biggest problems here, and I think this is a great step forward. Another wrinkle to
26 this that I just wants to mention to my colleagues here is that the money, as I
27 understand, coming from, as recommended by the County Executive, doesn't really
28 start until fiscal year '10. So some of the challenges in these conversations are looking
29 at ways that we can advance some of that, some of these improvements earlier that
30 fiscal '10 and it also involves a certain amount of working with the private sector. And
31 some of these projects that have been identified involves further negotiations. So again,
32 a number of these, the elements of these proposals are, continue to be up in the air. But
33 it looks relatively promising and I think that's very important because the most
34 disappointing thing I saw in the CIP when it came over, was reduction of nearly \$40
35 million in the six-year program for transportation that we saw initially. The committee
36 recommendation separate and apart from the \$80 million that we've been talking about
37 now, the committee recommendation adds about, a little over \$22 million to the program
38 and unless people have more comments on the overall picture, we can get into the
39 details.

40
41 Council President Leventhal,
42 Let's get into them, Madam Chair.

43
44 Councilmember Floreen,



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1 Glenn, did you have any other overriding observations? Oh, one other point I wanted to
2 say. We've heard a lot from the bike community, and we'll get into some of the details
3 here as well. But one thing that Glenn points out in this memo, and I ask that my
4 colleagues note, and we do want to share the road with bikes. We are sharing the road
5 in a lot of transit road projects out there separate and apart from bike way and
6 pedestrian facilities planning, they all include bike paths or trails or lanes. So the biking
7 community is well represented in a variety of portions of this budget. And keep that sign.
8 Glenn, is there anything else in the general category you wanted to emphasize.

9
10 Council President Leventhal,
11 Mr. Knapp has a question.

12
13 Councilmember Knapp,
14 Thank you, Mr. President. Madam Chair, just to check, so even though the number that
15 came over was a reduction of 7%, is the expectation on part of the committee, that
16 because of this state option that we've just discussed that the additional resources
17 going there will then take that number above a 7% reduction and actually be an
18 increase, or did the committee itself actually say we need to see an increase in
19 transportation as opposed to decrease and set some sites for themselves to try and
20 raise that number?

21
22 Councilmember Floreen,
23 Well, if you do the math, I suppose, looking on page 3, we've added about \$22 million in
24 our committee recommendation. That still does not meet, overcome the reductions that
25 were proposed by the County Executive, but with this \$80 million, it will be increase. I
26 don't know what the math turns out to be.

27
28 Glenn Orlin,
29 It will be close to 600 million. 600 million percentage-wise, the difference between 532
30 which was the LOS CIP and 600 is whatever it is. It will be 600 million, but unlike, I
31 guess the school system's budget it's going back loaded.

32
33 Councilmember Floreen,
34 Well, and there you have our classic trade-offs in transportation. One of our challenges,
35 I will note in all of this is that we're doing catch-up for a number of years. So what we
36 did, have been working on is facility planning of projects. There's been close outs of big
37 projects but you can't build what you haven't planned, and so that is part of the overall
38 challenge in the budget. Anything else in the...

39
40 Glenn Orlin,
41 Yeah, two minutes on the other issues, the bottom page four and top of page five. First
42 of all, you always ask us to track what the effect of the growth policy would be of
43 changes. There are a couple projects which will allow capacity to be added. Father
44 Hurley Boulevard and the Dale Drive/Colesville Road intersection and a couple which,
45 and possibly widening Clarksburg Road under the subdivision roads participation



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1 project, and two projects have been counted which will no longer be counted, the
2 Darnestown Road-Shady Grove Road intersection and some improvements of the
3 conference center intersection improvements. Secondly Ms. Praisner remember in the
4 MFP committee a couple years ago, recommended Council approved a resolution
5 where charges to the CIP by top level managers throughout the County government,
6 and the other agencies should be charged to the operating budget rather than to the
7 CIP. All the agencies have followed through on that and that's reflected in the CIP and
8 will be in the operating budget as well. And finally you'll note that most of the PDFs that
9 had the Go Montgomery indication on it last time around have been scrapped from the
10 PDFs but there are a few that have remained... Anyway, the committee's
11 recommendation is to scrub the other.

12
13 Art Holmes,
14 I wish you wouldn't make disparaging remarks.

15
16 Council President Leventhal,
17 We did because we love.

18
19 Councilmember Floreen,
20 The due Montgomery.

21
22 Councilmember Perez,
23 I had wanted the question mark instead of the exclamation point but I was overruled.

24
25 Councilmember Floreen,
26 Okay.

27
28 Art Holmes,
29 Okay, go to consent items.

30
31 Councilmember Floreen,
32 The next series of projects are on page 6. There are two categories. Category 1 is the
33 ones that are the way we expected them to look, and category 2 are the ones that have
34 the significant change in cost or scope or delay or whatever. You'll see the details here.
35 I don't know if you want me to, I can just list the projects here. White Ground Road
36 Bridge, Seven Locks Technical Center.

37
38 Councilmember Silverman,
39 No, no. No, no that's okay. We can all read.

40
41 Council President Leventhal,
42 The list is on page 6 of the packet and is not necessary to read.

43
44 Councilmember Floreen,
45 Anybody have a problem, Mr. Knapp.

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Councilmember Knapp,

I have no problem just a question or statement of DPWT on Father Hurley Boulevard extended. I think they're aware of a number of issues that have come up there in the last couple of weeks because of the other side of Father Hurley Boulevard actually being opened. There have been a number of accidents, and the community has requested I think there's traffic study underway. But I've heard we're putting a four-way stop up there and I know that [INAUDIBLE] not here, this is an operating budget. I just wanted to take this opportunity to make sure everybody's paying attention because there are another accident there on Sunday evening, and there continues to be a number of them there week, and so it's just something we need to address sooner than later. So, I just wanted to put that out there as, for a sense of urgency.

Councilmember Floreen,

Okay Next, design only projects, the committee concurs with the County Executive's recommendation to include the design of the McArthur Boulevard bikeway improvement, Chapman Avenue extended and Montrose Parkway East.

Council President Leventhal,
Ms. Praisner.

Councilmember Praisner,

Well, I just wanted to be recorded as agreeing with Council staff. This would be inconsistent with policy from a standpoint of not programming the, until we know what the final design costs would be. I appreciate that the committee is trying to carve out fiscal capacity but the reality is we won't know what the fiscal costs are until we get further along, and that's why we haven't, that's why we haven't listed them as PDFs until they reach's certain point. It would be inconsistent to assume that we have the money there anyway whether you carve out the fiscal capacity or not or say you are, because we still don't know what the total cost will be and that may effect the timing if not the project so I agree with Council staff on this. I'm not going, beyond that, just...

Councilmember Floreen,

Mr. Orlin has a challenge with the T&E committee. So, I think that's fair, and I'll just note that we made these kind of calls later when we get to facility planning generally, not easy. But I think the view of the committee is where we really feel strongly about projects, we want to make sure that they don't lose place. Next facility planning in bridges. The one issue from the T&E Committee recommendation here is with respect to the Talbot Avenue bridge. We have got a couple areas in this CIP where the effects of the purple line are not fully understood and in this case, we wanted to make sure that we didn't put in something that was going to, program something that was going to make it more difficult for the purple line to get constructed. And in cooperation with the ongoing work of the state. That's what we've done there. Bus stop improvements. We added a significant number of dollars here. As I calculate it Glenn, it's about over \$9.5 million. This was top safety priority recommended by the Planning Staff and the



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1 Commission On People With Disabilities. If we believe in transit, we have to make it
2 safe, accessible, and convenient for people. So we have, our recommendation is that
3 we raise the dollars associated with this project to fund the full program within the six-
4 year CIP.

5
6 Council President Leventhal,
7 Ms. Praisner has a question.

8
9 Councilmember Praisner,
10 I just wanted to make a comment. I agree that the bus stop improvements are critical.
11 We haven't had time in my office to completely read the comprehensive study and I do
12 want to have some conversation with the department afterwards on that issue. But I did
13 notice lately that our improvements to bus stops from a standpoint of the shelters, et
14 cetera, are not looking as clean and as neat as I think they should look, and I was
15 anxious to know the extent to which you are monitoring under the contract the, you
16 know, the maintenance of those facilities, and also ensuring that there are a lot awful lot
17 of those that I've seen that have the place where the schedule is supposed to be where
18 the schedule isn't as I drive by. And where the waste, little wasted container is
19 overflowing. And that there's some litter around the shelter itself. And I've always
20 supported the shelter program and even the signage associated with them, but I hope
21 that we are monitoring and ensuring that they are all they should be from a standpoint of
22 use.

23
24 Art Holmes,
25 We are and we know that we do have a problem and we have increased our monitoring
26 of those things.

27
28 Councilmember Praisner,
29 Okay, good, thank you.

30
31 Councilmember Floreen,
32 Okay. Next, EMOC, the DPWT's facility at Shady Grove. we continue to torture DPWT
33 because of the Shady Grove planning exercise, the committee recommendation is to
34 defer the design funds for this until fiscal '09-'10 as shown in circle 18. The design can
35 be accomplished in two years so that we think that this would only actually result in a
36 one-year delay in completion of the project. And if for some reason or another the
37 County service park proposal for relocation of EMOC is not resolved within two years,
38 we would certainly entertain an amendment to the CIP to move this forward. I feel badly
39 about this because we have done this to DPWT for the past couple of years but they're
40 kind of a key factor in the Shady Grove redevelopment project, and we didn't want to
41 spend this money if we thought that it would be spent on something that couldn't be
42 achieved. So that's the committee proposal again. No questions, and we'll move on to
43 Glenmont Metro parking expansion. This one, there's good news here. There is money
44 programmed towards the design of an additional Garage at the Glenmont Metro Station.
45 There are two concepts. One: five-story 924 space garage on the east side of Georgia

28



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1 Avenue or a six-story 1200 space garage on the west side which would cost less. This
2 project is also related tangentially to the relocation of the Kensington Fire Station 18,
3 and to a certain degree, the design and reconstruction of the Randolph Road-Georgia
4 Avenue intersection improvement. Nothing is simple in this neck of the woods. In any
5 event, Ramada is looking at holding a public hearing on the garage issue in April, is that
6 correct?

7
8 Art Holmes,
9 26th.

10
11 Councilmember Floreen,
12 And we have...soon, the 26th of April.

13
14 Glenn Orlin,
15 That's right.

16
17 Councilmember Floreen,
18 And we have been talking to them about whether it would be possible to have a joint
19 hearing on this subject. This is a key transit priority we think of the County, and one we
20 hope to be able to find resources for to move this ahead once the details are sorted out.
21 So, we are very excited about this. We look forward to working with the Maryland
22 Department of Transportation in Ramada to select the site and fund the project for
23 construction in the '07 to '08 time frame. This will be tremendously responsiveness to
24 the needs of the Eastern County access to Metro. So stay tuned on that issue.

25
26 Council President Leventhal,
27 Mrs. Praisner.

28
29 Councilmember Praisner,
30 Thank you. There are a significant number of advocates who are looking for increased
31 parking capacity at that Glenmont Station. There are also I believe going to be
32 significant concerns and questions raised by the community, particularly those on the
33 west side of Georgia Avenue with the construction of a garage or the potential
34 construction of a garage on that side. Given the open land that is there now, and the
35 original design as I remember it. My office would like to be involved in this as well. The
36 only other comment I would make is that Ramada has not traditionally had a stellar
37 record of doing outreach and engagement with the community. Whether it is bus route
38 changes or any of the other issues that are associated with Ramada so I think it's very
39 important that we make sure that we review the outreach, not just for this meeting on
40 the 26th, but whatever else may happen beyond that and including that making sure
41 that the public is aware of all the necessary dates and time tables for this decision. It
42 also is going to be as has been highlighted a lot of different things going on in that area
43 especially if we are successful in having that interchange at Georgia and Randolph, one
44 of those that the state might be willing to share the funding with us or allowing us to
45 share the funding with them, however you want to place it. All of which is going to have

29

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1 an impact on the neighborhoods but also on business community at the Glenmont-
2 Layhill area. Having lived with impacts of projects, government projects to business
3 communities in Burtonsville, I think it's also important that we bring the Department of
4 Economic Development and DHCA into this, so that folks, the businesses particularly,
5 are aware of what the traffic changes and dynamics will be in their neighborhood.

6
7 Art Holmes,

8 And I was on the Planning Board when they were working on that so I understand the
9 dynamics and the neighborhood, and as we have our meetings with Ramada we've
10 been very much making sure that's up front.

11
12 Councilmember Floreen,

13 Those are important points, and we will all be thoroughly engaged in that issue. Any
14 other comments?

15
16 Council President Leventhal,

17 No, next item.

18
19 Councilmember Floreen,

20 Keep going, okay, we've got transit centers at Montgomery Mall and Takoma/Langley
21 that, where we're concurring with the County Executive to move those along as well as
22 Transit Park and Ride lot renovations. Again, we concur with the County Executive's
23 recommendation. Likewise with our ADA compliance efforts here. It's a significant
24 spending level, not perhaps as much as you could spend, but we're trying to achieve a
25 lot of things in the budget. Annual bike way program, the proposal, the program
26 proposes filling bike way gaps on Muncaster Mill Road and Emory Lane, and assigning
27 and marking of several routes. The committee add the to the program the rehabilitation
28 of the East-West Highway path and split its cost. This is one area where the bike
29 advocacy groups are raising concerns and you will see how we handled that later on in
30 the analysis. The challenge is to get into place things that we can, in fact, do and can
31 funds and we tried to be responsive to what we really think is doable. Green Tree Road
32 sidewalk.

33
34 Multiple Speakers,

35 Whoa, whoa

36
37 Council President Leventhal,

38 Bike way program item 9, page 12 and 13.

39
40 Councilmember Floreen,

41 We haven't isolated out all the bike elements here. So perhaps if I may suggest if
42 people want to raise questions what we're doing for the bike ways at the end because
43 we do have a couple other trail projects and the like that need to be, that have been
44 broken out and are relevant I think. Green Tree Road sidewalk, this was an example, I
45 think, of something that Ms. Praisner pointed out earlier. This started out as a sidewalk

30

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1 project, it has become a traffic coming project, tree project, and really community
2 enhancement project and the department I think gets great credit for being responsive
3 to the community on these issues. Of course it's driven up the cost by over \$1 million
4 but this is how you get to neighborhood support and not so much revitalization, as really
5 getting back to the details of community building especially in our older communities. So
6 we support this initiative. It's just more expensive, and as a result, it's gotten delayed a
7 bit. Matthew Henson Trail. We resist the County Executive's suggestion that this be
8 deferred and we recommend going forward with a Matthew Henson trail as initially
9 planned. As you will recall, this travels along the Rockville facility ultimately to connect
10 to the Northwest Branch trail. Maryland 108 sidewalk, we support putting this on an
11 accelerated schedule and believe safety issues here warrant its advancement. Another
12 bike path, Shady Grove access bike... Oops, Mr. Knapp.

13
14 Councilmember Knapp,

15 Thank you, Madam Chair. Just a point of observation that I appreciate discussion here
16 about the bike way master plan and the sidewalk and one being on the south side and
17 one being on the north side, and I guess in an ideal world those things would be great,
18 but I guess having done this job now for a while and listening to lots of folks who kind of
19 look at us with peaked interest and curiosity as to why we don't just consolidate these
20 things sometimes. I have to question why we wouldn't just go ahead and do that here.
21 Because the reality is, given what you just talked about with annual bike way program,
22 by the time we get back to it to actually put the bike way in place it will be 15 or 20 years
23 down the road realistically, and we could have had a place where bikers and folks could
24 have shared. It's one of those things to think about that people are going to say if you to
25 put the sidewalk in why not just make the sidewalk the right size so that you can put the
26 bikes on there too. Just an observation, but I do appreciate the committee's
27 recommendation to move ahead with the sidewalk, because it is a very dangerous
28 stretch of road, and the sidewalk is necessary. So, just something to think about as we
29 go forward because we ought to try to consolidate these things, because we're just not
30 going to get them all done.

31
32 Councilmember Floreen,

33 And like the others a sidewalk is not just a sidewalk. It involves storm drain
34 improvements as well. So again, there's a never easy to solve all problems at once.
35 Shady Grove access bike path, again we resist the County Executive's proposal to defer
36 it by two years and say keep it on track. We are hopeful that this can move forward with
37 perhaps some additional state enhancement funding as well. Silver Spring green trail,
38 another bike trail and pedestrian pathway. It is associated to a certain degree with a
39 studies for the purple line, but we recommend that we accelerate the project to a fiscal
40 '08 start. This would be the path and sidewalk along Wayne Avenue in Silver Spring
41 from the district, from the business district down to Sligo Creek. And then finally in this
42 category, again, we resist the recommendation to defer construction of sidewalks on the
43 west side of U.S. 29 and to keep that on schedule for construction in fiscal year '10.

44
45 Council President Leventhal,

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1 Ms. Praisner.

2
3 Councilmember Praisner,

4 Well, I thank you very much. The question I had though. Would staff please get back to
5 me on the issue of what was assumed to be constructed on the east side? Because
6 there's still gaps on the east side as well and I can't remember...I know the west side
7 was the second piece but there are still gaps on the east side, and they're both in the
8 same place. I appreciate the committee's desire to accelerate the schedule, especially
9 because there are places where there's no place for a pedestrian to walk. And we have
10 more activity of pedestrians now that there are commercial, active and popular
11 commercial centers in the area just below Burnt Mills, so okay. Are those the gaps or
12 remaining segment? Okay, well then they...I do need to follow up, thank you.

13
14 Council President Leventhal,
15 Mr. Silverman has a comment.

16
17 Councilmember Floreen,

18 I just wanted to say, I know Mr. Silverman, are you going to talk about bikes? It is. I just
19 wanted to point to the very last page in the packet. This is circle 112, that's the very last
20 page. I'm not kidding. I'm sure that the Council has read every single page of this with
21 great thoroughness. I wanted to be clear about what the committee has recommended
22 for Facility Planning, particularly as it affects bike ways and sidewalks. The
23 recommendation from Mr. Orlin, and we can talk about this in more detail later but
24 generally, Mr. Orlin being a conservative person with a more aggressive committee has
25 a challenge. And Mr. Orlin keeps saying we can't afford it, we can't afford it, and so take
26 planning for these bike way projects off the list. The committee was sympathetic to Mr.
27 Orlin to a certain degree but not entirely. And consequently on circle 112 what you see
28 are basically three categories of projects. Under roads, bikeways, and sidewalks, the
29 top, those are the lists of roadway, bikeway, and sidewalk projects that are being
30 studied for facility planning in fiscal '07-08. The next category, and I'll just direct your
31 attention to the bikeways and sideways list, are studies to be completed in fiscal '09-12,
32 and then finally we did strike out some of those initiatives to be completed within the six-
33 year CIP but we wanted to make sure they retained a place in the queue as it were. So
34 we created another list for the next group, and that is, includes the Forest Glen bikeway,
35 the mid-county highway bikeway and sidewalk project, Goldsboro Road, Dale Drive
36 sidewalk, Falls Road sidewalk, Jones Mill road bike improvements and Strathmore
37 sidewalk. So I just wanted to bring that to Mr. Silverman's attention before he launches
38 into his tirade.

39
40 Councilmember Silverman,
41 Now, now.

42
43 Councilmember Floreen,
44 Go ahead.



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Councilmember Silverman,

Thank you, Mr. President. I'm confused, so I'd like maybe Dr. Orlin or the committee chair to explain all these. I'm looking at circle 27, and that's the PDF for the annual bikeway program. And it's got these dollars in here and as I understand this PDF, it's supposed to be to construct bikeway facilities that will cost less than \$300,000 each. What I can't quite figure out is the advocacy groups for the biking community plus the Planning Board suggested that we should increase our annual bikeways program which is this PDF to \$1 million. I'd like to understand from somebody, what would happen if we increased the dollar amounts. In other words, what gets built that is theoretically ready to go in '07 and '08. That's what I'm trying to understand is if you went up in dollars, first of all, would you put, would you increase it in '07 or '08? Are there not projects that are available that if you had additional money? I mean, that's first question out of the gate is what projects if any could be funded in '07-'08? And if you don't have projects, is that what is referenced at the back end here because the back end which on 112 is facility planning transportation. These are, it's unclear as to whether these would be or what would not be under \$300,000 which is what this PDF is all about. So maybe somebody could help explain it.

Glenn Orlin,
Go ahead.

Bruce Johnston,

I'm not aware of any projects right now that are on the shelf ready to go, ready to be built with additional funds at this time. I think what we would do with this additional money would be to accelerate the planning and design of those. I don't know at this point exactly when construction would actually kick in.

Councilmember Silverman,

But this, hang on one second. But the, okay so you're saying even if we put additional dollars in for construction in the annual bikeway program, in '07 and '08 you don't have any projects that you could actually build.

Edgar Gonzalez,

Well we certainly will have to look at what the community has wanted, the requests that we have, what is facility planning and see if we can come out with two or three that we could be, that could be easily be implemented. The majority of the problems that we encounter with this type of project is, number one: the lack of familiarity by the communities so we are start doing some surveys and some design, everybody comes out of the woodwork and start opposing the projects. What are you doing to my rural environment and stuff like that. That's number one. Number two: typically we're going to be required in right-of-way and that is going to take us on time and in the case of a bikeway, we don't have the power to quick take as opposed to a road. So, I would say if you had money you had money for planning in at least the first year, and then put some money for construction, then that would give us time identify specific pieces that would



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1 make sense and would create some connectivity. That's what we'd be looking at to start
2 with.

3
4 Art Holmes,

5 I think that Ms. Praisner's comment, and if you look at the Green Tree, that's a good
6 example of what happens when you start these particular projects and go out, so I think
7 we can look and see. I don't know of any but we can look, Mr. Silverman, to find out if
8 there's something that we could do immediately, and we'll get back to you on that.

9
10 Councilmember Silverman,
11 Glen, do you have any views on this.

12
13 Glenn Orlin,

14 I basically agree with the department. Again, anything you add to this program now in
15 '07 would be planning. There may be some additional work they can do in marking and
16 signing, accelerating some of that. Small things like that, in this particular project. Now
17 that's different than the facility planning PDF that Ms. Floreen talked about later, where
18 there's discreet projects that...

19
20 Councilmember Silverman,
21 Which we have not gotten to.

22
23 Glenn Orlin,
24 Which you have not gotten to yet.

25
26 Councilmember Silverman,
27 Okay.

28
29 Edgar Gonzalez,

30 And again, there may be some connecting pieces some place that we would be able to
31 do within, you know under \$300,000, but again, once the community gets involved, they
32 know you're doing something and they become no way you're going to touch our land,
33 or we want some more than what you're doing, consistent with what Mr. Knapp was
34 saying.

35
36 Councilmember Silverman,

37 Right, well the PDF has handwritten in that the projects in FY '07 through '09 include
38 bike way gaps On Muncaster Mill Road and Emory, and rehabbing a [INAUDIBLE]
39 highway path Grubb Road to 16th Street. So those were, how did those get identified
40 and added into the PDF?

41
42 Glenn Orlin,

43 The first one of those two is part of what the Executive's recommendation was, it just
44 wasn't highlighted. So, I thought it was worth highlighting, the second one was one that I
45 recommended adding. I knew it was a project that they had been working on and was

34

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1 ready to go, and it doesn't have the same right-of-way issues that Mr. Gonzalez is
2 referring to because it's basically rehabbing an existing trail. So frankly, with the
3 recommendation that it came out of the committee, it pays for everything that the
4 department had on the table at the time when the budget was being put together.

5
6 Edgar Gonzalez,

7 The other thing is, I'm sure that if the bike way communities is aware that there is
8 money here, they will identify a few projects within a couple weeks that maybe which
9 you consider to implement.

10
11 Councilmember Silverman,

12 Head nodding out there. All right, well what I'd like to do, I want to reserve move forward
13 but I may want to come back to this, and I would ask the department and the head
14 noddors out there if there are some specific projects that could be done over the next
15 couple years that have not been highlighted by the committee.

16
17 Art Holmes,

18 We'll get back to you.

19
20 Councilmember Silverman,

21 To see what they may be. Thanks very much.

22
23 Council President Leventhal,

24 Mr. Subin.

25
26 Councilmember Subin,

27 Notice that the committee delayed Travilah Road by one year, as part of a consent
28 project. What's going on with the sidewalk there?

29
30 Bruce Johnston,

31 The sidewalk on the south side is being constructed in several segments by
32 developments ongoing in the area, and we're monitoring those. On the north side, we
33 have looked into trying to provide a sidewalk and accelerate the construction of the
34 sidewalk. As it turns out, there are right-of-way, very, very difficult right-of-way issues.
35 There are guardrails, trees, utilities in the way, And we just could not accelerate that.
36 We are in the process of obtaining the rights-of-way along that strip. We are working
37 with a consultant. We monitor that project at least bi-weekly, and every month and we
38 would like to be under construction on that project. I can't tell you right now, but we're,
39 exactly when it will be under construction, but we're trying to get the right-of -way as
40 quickly as we can, and then we'll be ready to build.

41
42 Edgar Gonzalez,

43 Mr. Subin, I had the fortune of looking at a map dated 1898 and Travilah road was on
44 that map. So, with that...



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Councilmember Subin,
Was that master plan back then?

Edgar Gonzalez,
No, it was just a... there was a road map for Montgomery County. So, what that showed though is that majority right-of-way on Travilah Road is descriptive right-of-way so that our properties on the north side that go Travilah Road and have the properties on the south side. So there are 65 properties from which we had to acquire right-of-way, 65. So that is the major challenge and that what has delayed us. But it's a project that should be under construction this year.

Councilmember Subin,
On the south side.

Edgar Gonzalez,
No.

Councilmember Subin,
How continuous are those sidewalks going to be or is it going to be a development, space development?

Edgar Gonzalez,
That was the intent when the project was initially conceived that there was going to be a lot of additional development on the south side and if you look at the PDF it's still the way it should be. There is money in the back years to come out and then create the connections, improvements to the road as well as the sidewalk connectivity, because we knew that there were a lot of properties that were being developed and we were going to give some time for that development to come and save taxpayers' money. That has been the plan from the very beginning.

Councilmember Subin,
Okay, thank you.

Council President Leventhal,
Mr. Andrews.

Councilmember Andrews,
Thank you, Mr. President. As Councilmembers are aware and I know Mr. Gonzalez is aware too, sidewalk is very much needed along Travilah Road so people can walk safely along it. They do try to walk along it now and it's a very dangerous road to do that on, at least the portions that currently don't have sidewalks. What's your best estimate now of when construction will actually begin and then be done?

Edgar Gonzalez,
We have stuff here that, fall of this year?



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1
2 Glenn Orlin,
3 yes, we're talking about the fall of this year.

4
5 Slogan Seriatim,
6 Right-of-way [INAUDIBLE]

7
8 Edgar Gonzalez,
9 Hold on, if right-of-way is clear in a year, then we will start construction in a year.

10
11 Councilmember Floreen,
12 Come on down and sit at the table if you could.

13
14 Council President Leventhal,
15 Please come forward and step up to the microphone.

16
17 Glenn Orlin,
18 This is Sogand Seirafi, she the chief of our transportation design section.

19
20 Sogand Seirafi,
21 We're starting construction winter of this year, 12/2006. That's when the right-of-way
22 would be cleared.

23
24 Glenn Orlin,
25 And the duration of the construction.

26
27 Sogand Seirafi,
28 It will end February 2008.

29
30 Councilmember Andrews,
31 Okay.

32
33 Edgar Gonzalez,
34 So given the season, the time of the year you may see the majority of the construction
35 activity beginning in the spring of '07, which is my recollection of about a year from now
36 to the end of construction. But the delay again has been the right-of-way acquisition. In
37 fact, we had to hire additional staff, temporary, consultants to help us with the right-of-
38 way acquisition. It was just overwhelming.

39
40 Sogand Seirafi,
41 We have 106 properties that are being impacted.

42
43 Councilmember Andrews,
44 106, okay, how many more left approximately to acquire right-of-way for?



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1 Sogand Seirafi,
2 I don't have those numbers in front of me right now, but we're working on it.

3
4 Glenn Orlin,
5 We did look again...

6
7 Edgar Gonzalez,
8 We did have the numbers.

9
10 Glenn Orlin,
11 ... to provide an interim measure, and build some kind of an interim facility along there,
12 but the physical constraints, guardrails, utility poles, trees just would not permit that at
13 this time.

14
15 Edgar Gonzalez,
16 We need 75 more of those 109. I knew it was 65 or 75, some place. Those are the ones
17 that were missing yet. So we're moving on those, and at some point, you know, we'll
18 come to you for a quick take with all the provisions for notification and all that.

19
20 Councilmember Perez,
21 What a legacy.

22
23 Edgar Gonzalez,
24 What a legacy.

25
26 Councilmember Perez,
27 What dubious legacy.

28
29 Councilmember Andrews,
30 Thank you.

31
32 Council President Leventhal,
33 Mr. Knapp.

34
35 Councilmember Knapp,
36 Thank you, Mr. President. I actually wanted to add one item. One of the things that
37 we've been discussing at least at PHED committee in the last couple weeks has the
38 Damascus master plan and the full Council will take this up shortly, and the notion of
39 this creating, I say, a more pedestrian friendly community, and one of the big issues in
40 Damascus right now is the connectivity between the Elementary School, the High
41 School and the Rec. Center. Which ideally you'd like people to walk back and forth in
42 between. The reality is right now you can't do that because there are no sidewalks to
43 get down route 27. And I would like to actually see if we could get that sidewalk into the
44 facility planning phase of this. I don't know if it's something that's been under
45 consideration, if it's something we've talked to the state about at all.



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1 Art Holmes,

2 I have no knowledge [INAUDIBLE] we can find out. I went up there yesterday looking for
3 something else, and I had no idea at that time when they came [INAUDIBLE] that there
4 was something [INAUDIBLE]

5 Councilmember Floreen,

6 Mr. Knapp, you'll note that on page 112 that there is an item on Oak Drive/Route 27
7 sidewalk.

8 Sogand Seirafi,

9 That's complicated project. It needs right-of-way so it needs to go through the Facility
10 Planning phase. It's not a simple piece of sidewalk.

11 Councilmember Knapp,

12 Oh, I know, I know. That's why I at least wanted to make sure we were in. So, this is
13 Oak Drive/27 sidewalk is that?

14 Sogand Seirafi,

15 Yes, Oak Drive/27 sidewalk is that piece that you're referring to.

16 Councilmember Knapp,

17 Okay, sorry. Thank you very much.

18 Council President Leventhal,

19 Ms. Praisner.

20 Councilmember Praisner,

21 Are we talking about the facility planning PDF right now, or do we want to come back to
22 that?

23 Councilmember Floreen,

24 Let's come back to that.

25 Councilmember Praisner,

26 Okay.

27 Council President Leventhal,

28 Okay, we are now moving to resurfacing and infrastructure maintenance project.

29 Councilmember Floreen,

30 We started phase 1 of the Clarksburg area road rehabilitation the other day, and
31 number, item number 1 under this category continues that work. And I will just simply
32 add that I've asked Park and Planning to look at whether they can consider some
33 assessment at the beginning of this projects. So that it's not a County obligation but
34



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1 associated with the development process, and Glenn, remind me we need to follow up
2 on where that is. Next.

3
4 Council President Leventhal,
5 Mrs. Praisner has a question.

6
7 Councilmember Praisner,
8 Well, I wanted to make two points. I understand the issue from the standpoint of
9 Clarksburg area road rehabilitation that we don't have adequate information to ascribe
10 or pinpoint one or the other developer that we can charge against bonds, put up by the
11 developers. But it would seem to me that the question is when you have a lot of activity
12 in a certain area, what kind of monitoring we can do. Clearly there are multiple
13 developers and that may not be the case anywhere else in the County in the future or it
14 may be. But if we had inspection on a periodic basis and the capacity to monitor the
15 trucks or construction, we should be able to know with the appropriate bonds which
16 ones we attach obligations to. The resurfacing and infrastructure maintenance issues
17 are ubiquitous. They exist all over the County and where we can pinpoint the cause
18 directly to not general traffic, but heavy construction traffic associated by this kind of
19 activity shouldn't be the general taxpayers picking up the tab in my view, because we've
20 got a lot of other things to do with that money on the roads all over the County. So I
21 would hope that we would, there's still more activity going on there and there will
22 continue to be. And I think with a little bit of proactive monitoring, we may be able to
23 redirect public tax dollars to more appropriate locations. And with that in mind, I want to
24 make another comment about infrastructure maintenance projects for transportation. I
25 want to thank the department in your general department responsibilities. For AI and
26 others for your work with the infrastructure on task force maintenance and technology
27 task force work, especially on the infrastructure piece and at this point not on the
28 technology piece but I hope to do some work at that. I believe the report is at the
29 printer's.

30
31 Councilmember Perez,
32 Right now.

33
34 Councilmember Praisner,
35 And will be out within the next few days.

36
37 Councilmember Perez,
38 Today.

39
40 Councilmember Praisner,
41 Today, will be hot off the press today. I want to thank Councilmember Perez for his
42 willingness to work with me on this issue last year. I think we have highlighted the
43 critical issues for an aging community with significant infrastructure of inadequate
44 attention to that infrastructure and what can happen. And as you'll see from my
45 transmittal notice to the Council President, I have repeating what many of you have said

40



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1 at this table. That there are no press releases and ribbon cuttings for maintenance. But
2 it is something where we have an ongoing responsibility.

3
4 Councilmember Perez,
5 I want more budget for scissors. Scissors and ribbons.

6
7 Councilmember Praisner,
8 One of the questions that I do have though is it relates to the kind of equipment, the kind
9 of slurry seal or whatever methods we're using, because we have at least a couple of
10 roads where Mr. Holmes, General Holmes has given me memos back from his staff,
11 ably drafted I assume, by staff where there are issues with whether some things have
12 not lasted the way they should, and we've got roads fewer than five years old where
13 they're starting to decay.

14
15 Art Holmes,
16 Right.

17
18 Councilmember Praisner,
19 And erode such that it does call into question the infrastructure task force report about
20 how long what our life expectancy is. So, I hope the committee will continue, I know you
21 will because of your interest in this issue, but I hope we'll continue to look at that issue
22 because it causes me and I'm sure you significant concern

23
24 Councilmember Floreen,
25 And we did have a special session on this Slurry seal.

26
27 Art Holmes,
28 You notice that we are doing a test to look at the covering. One other thing as you talk
29 about the rehabilitation of roads. As a condition at site plan and at subdivision, you
30 could indicate if you know who, and you know the builders, you could make that a
31 condition and also put routes on there so you get it really at the root cause.

32
33 Councilmember Praisner,
34 Well that's something that you might want to share with Park and Planning on this issue.

35
36 Art Holmes,
37 I certainly will.

38
39 Councilmember Floreen,
40 We did ask Dick Hawthorne about that as requiring it in part of their monitoring and their
41 conditions of their approval.

42
43 Art Holmes,
44 Right.



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1 Councilmember Praisner,
2 With that.

3
4 Council President Leventhal,
5 Mr. Knapp.

6
7 Councilmember Knapp,
8 I just wanted to add to that because prior to General Holmes coming onboard, I met with
9 General Genetti about the whole bonding issue, and how did we address that especially
10 as it relates to roads in Clarksburg and Permitting Services plays a role in there too , as
11 I understand, and much of what is hauled actually has a specified route because there
12 are places where what's being hauled has to be transported to, and so...

13
14 Art Holmes,
15 It's a monitoring. You know, you can put the routes down but you've got to monitor that,
16 and that's what I think Ms. Praisner was saying and that's manpower intensive.

17
18 Councilmember Knapp,
19 Understood. It just seems that there are some, to Ms. Praisner's point, I think there are
20 some ways that we can probably get all the people back together again, and let's talk
21 about how we can modify that and get that bonding piece together. Because the last
22 conversation we had you might be able to get there from here, but it's going to take
23 some coordination, and we weren't working anywhere as near as well together then as
24 we are now.

25
26 Councilmember Floreen,
27 Let me just say, we do have a roads coordinator and I gather now we've ombudsman.

28
29 Councilmember Knapp,
30 We have more manpower.

31
32 Councilmember Floreen,
33 That person should be able to follow up on this and get it underway. Any other
34 questions. Ms. Praisner's already introduced the infrastructure maintenance
35 commitment here. The T&E Committee really, we did this in the last CIP we upped the
36 dollars for resurfacing dollars on primary arterial road residential and for sidewalk and
37 infrastructure revitalization and we do it again. Basically we recommended \$12.5 million
38 increase in resurfacing on primary and arterial roads. Over the, so it's a \$12.5 million
39 increase over the County Executive's recommendation. We raised the funding for the
40 rural residential category by \$300,000 in fiscal '07, and raised funding for sidewalk and
41 infrastructure revitalization by a million in fiscal '07 as well. And we continue to
42 absolutely agree that this is a key obligation of government and of us in particular.

43
44 Council President Leventhal,



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1 Okay. No comments on that. I understand we're skipping over Brookville service park, is
2 that correct?

3
4 Councilmember Floreen,
5 I was just going to say. Also in our zeal to get it right are taking over the park roads and
6 bridge improvements resurfacing projects. So we're basically transferring that function
7 from Park and Planning over to DPWT. So maybe we'll see some improvement there,
8 benefit from the coordination of skills. We're skipping over Brookville service park and
9 we'll come back to that. DPWT has some, I understand they're relooking at how this
10 service park could be redesigned to accommodate their needs and certainly to respect
11 the County's commitment to the purple line initiative. So, we will see that when, Glenn?

12
13 Glenn Orlin,
14 I understand the department is going to have something to me by next Monday.

15
16 Councilmember Floreen,
17 So we'll see it next week, maybe.

18
19 Glenn Orlin,
20 Maybe.

21
22 Councilmember Floreen,
23 We'll just see. Respectful of the concerns about what it means for the purple line.
24 Colesville depot. Question of the program of maintenance, requirements for the
25 modernization and expansion of the Colesville maintenance depot, we concur with the
26 Executive to retain it in years fiscal '10 and '11. We are aware that there are, Park and
27 Planning has some issues with the location. We think that nonetheless we should
28 continue with the design and if there's a problem, it can be addressed in due time. So
29 that's a recommendation of the committee.

30
31 Council President Leventhal,
32 Mrs. Praisner.

33
34 Councilmember Praisner,
35 Well, I share Park and Planning concerns, and I'm, although I'm not sure where a
36 relocation would go to and what the impact would be, but I would like to make sure that
37 the PDF has language that includes two things: One that as a part of this study the
38 issue of relocation will be incorporated within the study, and secondly, any modifications
39 to the site, if it is determined that it will be on the site, should be to either reduce or
40 maintain the existing imperviousness, but not to increase it.

41
42 Council President Leventhal,
43 Okay, is there objection to the recommendations to add to the PDF?

44
45 Councilmember Floreen,



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1 I'd like to hear from DPWT on that .

2
3 Edgar Gonzalez,

4 On item number two, we know that we are not going to increase the imperviousness.

5
6 Councilmember Praisner,

7 Then you shouldn't have any problem with including that. I just want to tell you. Number
8 two: if you want us for start looking at relocation site and the possibilities for that, then
9 you need to increase the budget in the PDF.

10
11 Glenn Orlin,

12 Right, that's what I was going to say. This is for design of a facility on a particular site.
13 So if you want to have that study done, it is time to do it.

14
15 Councilmember Praisner,

16 I do because that's what Mr. Orlin wasn't suggesting it shouldn't be eliminated at this
17 point because that issue. I'm not interested in eliminating it but I think one of the things
18 that it at least should be looked at is the possibility of relocation. I understand the
19 challenge but this is a very sensitive location given the head waters and the special
20 protection area so at least we should look at whether there are any other locations. I
21 don't think that's a lot.

22
23 Glenn Orlin,

24 I'll follow up with OMB and figure out what the cost of a study like that would be and
25 what medium it should go in and come back to it.

26
27 Art Holmes,

28 It has always been our intent to keep the imperviousness out, and also to improve the
29 storm water management.

30
31 Councilmember Praisner,

32 And those are the things that I should think should be incorporated within that issue.

33
34 Councilmember Floreen,

35 Okay?

36
37 Council President Leventhal,

38 Okay.

39
40 Councilmember Floreen,

41 Moving on to road and traffic improvements project, we've got advanced reforestation.
42 We concur with the County Executive's recommendation in the budget for a planting, for
43 providing funds for planting trees in the reservoir, WSSC property for County
44 transportation projects to meet their forest conservation requirements. For Bethesda
45 CBD streetscape, we support the County Executive in recommending a two-year delay

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1 of phase 1. We are optimistic that we can get some developer money in there to support
2 some of that. And we think otherwise, there will be no harm done. With respect to the
3 Burtonsville access road, again we concur with the County Executive's recommendation
4 to keep it where it is in the CIP. The project has increased like everything else. Project
5 has increased in cost by 67%. Storm water management, land acquisition and the
6 actual design issues associated with construction affect the dollars associated with this.
7 It is unfortunate it can't be, we'd hoped previously that we could coordinate with better
8 with state highway and then Maryland 198 project in Burtonsville. Alas it has not come
9 to pass, but we'll continue to keep an eye on that. Highway noise abatement. We have a
10 list, basically we doubled the County Executives proposal for funding of noise walls and
11 the like. The list is on the bottom of page 21 and top of page 22. We heard from the
12 folks on Shady Grove Road and I think our recommendation addresses their needs, and
13 their otherwise we program almost \$3 million dollars in fiscal '08 to build the seven top
14 ranked walls, wall projects under the criteria established previously. Quince Orchard
15 Road, the department is intent on not ending that argument. We had this a couple years
16 ago, not satisfied with a vote to not support their project two years ago. They have come
17 back and the T&E Committee remains steadfast in its opposition to the department's
18 proposal which was to do more work on straightening out the Orchard, Quince Orchard
19 Road S curve. We did not agree that it should be reintroduced. It had been a
20 controversial issue. Folks are divided on whether this effort would enhance safety or
21 increase speeding. We heard from the police on this, and they had kind of a mixed point
22 of view on the subject. So the committee recommendation is to not include the S curve
23 improvement project as advanced by the department but to add back funds for a right
24 turn lane to Quince Orchards Road as was shown in the initial project. Okay. Rockville
25 Town Center. Well, it's happening. Basically, the issue here is simply the source of
26 funds, and we agreed with the County Executive's statement in the fiscal note. State
27 highway noise abatement, we concur with the County Executive to provide the local
28 match necessary to support noise walls along the state highways. Subdivision Roads
29 participation, we concur with the County Executive, these involve three new
30 subprojects, Clarksburg master plan roads. That's primarily three Clarksburg
31 development projects. Foreman Boulevard, Snowden Farm Parkway, and the widening
32 of Clarksburg Run. Advanced transportation management system, we concur with the
33 County Executive, we're going to be looking at that later as part of the operating budget,
34 right, Glenn? Conference, these were articulated. Glenn mentioned...

35
36 Council President Leventhal,
37 I'm sorry, Madam Chair, Ms. Praisner has a comments on the...

38
39 Councilmember Floreen,
40 Okie-doke.

41
42 Councilmember Praisner,
43 I just wanted to indicate that this is long overdue. We were a leader in this years ago.
44 Mr. Donaldson and others, and now the infrastructure just like other infrastructure, I
45 related to the infrastructure issue, is deteriorating so that our connections and the ability

45



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1 to manage and manipulate the signals. I do want to suggest that there may be grant
2 funding in the long run for some of these issues, not just transportation funding. But
3 homeland security money as well that might be related to some of the advanced traffic
4 management initiatives it. Not a lot of money but I think we should explore options.

5
6 Art Holmes,

7 We did. We did make that pitch We went to the congressional delegation under
8 homeland security.

9
10 Councilmember Praisner,

11 I was aware of that and I think we need to continue, folks continue to ask me why
12 doesn't the signal, why is the signal on so long and why aren't they synchronized, et
13 cetera, Everybody is positive about the additional information that you can get so I think
14 this should become a priority.

15
16 Councilmember Floreen,

17 Next, conference center intersection improvements, that's really a cleanup over what
18 was in the PDF previously and what is currently needed. Some of these improvements
19 have been completed, and others are part of larger County projects. In any event,
20 they're Planning Board determinations that would need to be made as to what's further
21 necessary to support the conference center. So we support the County Executive's
22 initiative recommendation here except to acknowledge that latter fact. Darnestown Road
23 at Shady Grove Road, I was looking at this and thinking, you know, we should have
24 brought this up when we met with the municipalities, I guess it was last week. The City
25 of Rockville, this is a question of building a spur road at the northeast quadrant of Shady
26 Grove Road and Darnestown Road, Route 28 immediately west of Falls Grove. The
27 point of that, of course, is to address congestion in advance. Unfortunately, the right-of-
28 way for this part of the road is expected to be donated by the City of Rockville. The City
29 of Rockville has decided that it doesn't want to proceed with the construction of the
30 project at this time. And I propose that we put up a very large sign that says to further
31 people caught in congestion at this intersection, brought to you by the City of Rockville.
32 As a result, the County Executive has deleted this project from the CIP and the
33 committee concurs. Hopefully it will come back but this is a classic example of we're
34 going to get what we don't pay for which is significant congestion at this intersection by
35 a virtue of the decision of the City of Rockville. Okay.

36
37 Council President Leventhal,

38 Ms. Praisner has a comment.

39
40 Councilmember Praisner,

41 Isn't this also a situation where annexation has occurred and therefore, having
42 development occur potentially in areas where we might not have scheduled the timing
43 of that with Falls Grove?

44
45 Edgar Gonzalez,



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1 Yeah, I believe this was the Thomas farm originally and so it was annexed and I
2 remember...

3
4 Councilmember Praisner,
5 So it's this development and this congestion brought to you by the good fathers and
6 mothers of the City of Rockville.

7
8 Edgar Gonzalez,
9 And we'll be glad to print a sign up. Just tell us what color you want it and how big.

10
11 Councilmember Praisner,
12 Well, since there was a sign that Rachel Carson Elementary School years ago, maybe
13 there should be one here.

14
15 Councilmember Floreen,
16 Well, there you go.

17
18 Council President Leventhal,
19 Mr. Subin.

20
21 Councilmember Subin,
22 I think we can lay that decision at the feet of Rockville, but I'm not sure we should hang
23 that around the neck of the issue of annexation. I'm not, I don't know of too many other
24 times that that has occurred. So, I don't know how you can connect those dots except in
25 this one specific instance.

26
27 Council President Leventhal,
28 Okay please, proceed.

29
30 Councilmember Floreen,
31 Well, there you have it. The issue of cooperation with our good friends in the
32 municipalities is one we will continue to need to work on. Silver Spring, no, not to Mr.
33 Subin's...

34
35 Council President Leventhal,
36 Mr. Subin wanted to speak further about the municipalities.

37
38 Councilmember Subin,
39 This isn't the eastern shore, folks. And all the sudden, because they've got problems
40 between municipalities and counties and the eastern shore, we're...we're trying to
41 import those issues and hang them around the necks of municipalities and that simply
42 isn't fair. Most of us have good relationships with the municipalities in this County, most
43 of us, because some people don't, doesn't mean we need to rake everybody over the
44 coals because one of them has an issue and a problem.

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Council President Leventhal,
Ms. Floreen.

Councilmember Floreen,
Silver Spring traffic improvements. First one here is Dale Drive. I'm very concerned that we protect Mrs. Kay's parking lots, but in any event, the T&E Committee recommends that we accelerate completion of the project to add a turn lane at Dale Drive's eastbound and westbound approaches to Colesville Road. So, we're recommending that it be accelerated by year. This should help. Street lighting, this project, we support the Executive on this. I'll just note that this includes street light enhancements in Bethesda, Long Branch, Silver Spring, Wheaton, Langley Park and Gaithersburg, the North of Gaithersburg. Traffic signals, we support the County Executive on what he's put in the CIP, \$2.8 million annually. And then finally, with respect to facility planning, as I mentioned at the outset there are lots of good projects out there. And you will note in the, deep in the packet is Dr. Orlin's analysis about how we're designing projects we can't begin to pay for. We are sympathetic to that to a point, but we do think that we do need to forge ahead on our County priorities. And so that what we're proposing is in the schedule is to I guess, is the best thing to look at circle 112, Glenn?

Glenn Orlin,
Yes.

Councilmember Floreen,
That has a whole list of, as I mentioned earlier, studies underway or to be completed in fiscal '07 and '08. That includes the list of roads, bikeways and sidewalks and mass transit initiatives. And as I've said, what we've done is we have created, we went from two categories to three categories here. Those underway are to be completed in the first two years of the CIP are at the top. The next ones are in the middle are studies underway are to be completed in fiscal '09 to '12 and then those that have been stricken out above are the other projects to be undertaken in later years. Those include those deferred or new ones are the Locbury Drive connection, Arlington Road, Olney-Longwood Park and Ride lot. University Boulevard bus rapid transit, Olney transit center and on the bikeway and sidewalk list, it's the items I read out earlier. So that is our proposal. I'll just note that we were very clear that the committee recommended on the County Executive's recommended schedule that we continue to work on the dedicated, but unmaintained road study which is an issue in the more rural parts of the County. The Seminary Road, Seminary Place, Second Avenue challenge that needs to be given priority. Montgomery Village clubhouse transit center study, the Roberts Tavern road study, NIH circulation study and the Falls Road east side bikeway study. We are assuming all County funds rather than state contributions to this and I guess we'll stay tuned as to whether we can get additional resources for these initiatives.

Council President Leventhal,
Okay, Mr. Silverman.



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1 Councilmember Silverman,
2 Thank you, Mr. President. Well, let me just go back to the issue of smaller, the annual
3 bikeways program which is the \$300,000 and under stuff. So to the extent you find
4 some stuff to do, you're going to come back, fine, okay. But the question I guess is
5 these are all, and Glenn, correct me if I'm wrong, these are all major projects, are they
6 not? Okay. So with a would we need to do in terms of facility planning to provide you,
7 the resources in I guess it would be '07 and '08 to be able to come back to the next
8 Council and the next CIP, to theoretically have projects available for funding under the
9 annual bikeways program, that's the question that I have.

10
11 Edgar Gonzalez,
12 I think if the Council wanted to do that, you would add funding to the facility planning
13 bikeways.

14
15 Councilmember Silverman,
16 Do you have a sense about, I don't want to pick numbers out of thin air. I'd like to get
17 some sense about, Glenn do you have any thoughts on this?

18
19 Edgar Gonzalez,
20 Typically our position is we support the Executive's recommended budget.

21
22 Councilmember Silverman,
23 I understand that, I know, but I'm asking what would be from either you or Glenn about
24 what would be a reasonable amount to consider adding in facility planning, you know,
25 for a category that would be considered the annual bikeways program so that then you'd
26 be able to come back with something that falls into this category. You're shaking your
27 head.

28
29 Glenn Orlin,
30 Yeah, you're mixing things up, you're mixing it up. The annual bikeway program is really
31 for sort of small, very small improvements.

32
33 Councilmember Silverman,
34 \$300,000 and under.

35
36 Glenn Orlin,
37 Which are none of the major bikeway projects. And yes you could add, I don't know, for
38 planning maybe \$50,000, \$100,000 to develop more of the small things. That's different,
39 it is different than the many bike ways, the large ones that could be accelerated if you
40 wanted to accelerate some of these seven or eight bikeways in facility planning PDF.

41
42 Councilmember Silverman,
43 How would we, You're saying we would instead of studies completed in '09-'12 we
44 would take the monies...



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1 Glenn Orlin,
2 Can I give you specific examples. Goldsboro Road bike way. The entire study is
3 \$430,000, it's spread out in fiscal years '11 and '12. Actually I take that back, I'm looking
4 at the wrong version. It's beyond six years, but it's \$450,000, \$430,000. If that were
5 accelerated into the CIP, whatever two years you wanted, it would be 140,000 in the
6 first year, 290,000 in the second year, and then half a dozen others like that. Some are
7 more expensive than that, some are less expensive than that.

8
9 Councilmember Silverman,
10 They're between a 100,000 and 500,000 according to your memo Glenn.

11
12 Glenn Orlin,
13 Right.

14
15 Councilmember Silverman,
16 Even for facility planning.

17
18 Glenn Orlin,
19 Right for facility planning.

20
21 Edgar Gonzalez,
22 What I would understood you to want was smaller projects.

23
24 Councilmember Silverman,
25 That's correct Edgar. I'm just saying that we have an annual bikeways program which
26 we essentially don't, it doesn't sound like there's, it doesn't sound like there's facility
27 planning money in for that, or how do you come up with these things if you don't have
28 facility planning. They're all under \$300,000.

29
30 Edgar Gonzalez,
31 We have a PDF where we do planning.

32
33 Councilmember Silverman,
34 It's not this one, and it's not the annual bikeways program, it's something else?

35
36 Glenn Orlin,
37 There's an about \$80,000 a year in essentially planning money in the annual bikeway
38 program to come up with...

39
40 Unidentified 365
41 Which does the planning small projects.

42
43 Edgar Gonzalez,
44 There is a PDF.



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1 Councilmember Silverman,
2 I guess what I'm suggesting is increasing that amount so there would be more actual
3 projects that in two years you'd be able to come back. Glenn, you know, I'm sure we'd
4 love to accelerate all these things but at three or \$400,000 a pop that's not happening.
5 That's not going to realistically happen. I guess what I would propose, you've got 80,000
6 now?

7
8 Glenn Orlin,
9 Right.

10
11 Councilmember Silverman,
12 Okay, I'll see where anybody is. I'd like to, remember we're not making final decisions
13 this is, at this point and not in May but I would propose we add another \$80,000 to your
14 planning in the annual bikeways program.

15
16 Glenn Orlin,
17 For which years?

18
19 Art Holmes,
20 You would identify this as minor as minor...

21
22 Councilmember Silverman,
23 Right, in the annual, right and for '07 it. I guess '07-'08, however, do you it so when you
24 come back with the '09 CIP there would actually be some potential projects to look at.
25 Otherwise, we would, the next Council will be in the same position we are which is
26 inability to look at increasing anything.

27
28 Glenn Orlin,
29 Super, \$80,000 in '07 plus \$80,000 in '08.

30
31 Edgar Gonzalez,
32 And in the annual bike way program as opposed to the...

33
34 Councilmember Silverman,
35 Yes, 80 in each of those two years and then you'll come back.

36
37 Council President Leventhal,
38 The motion is made and seconded. \$80,000 additional for bike way planning. Those in
39 favor will signify by raising their hands. It is unanimous.

40
41 Glenn Orlin,
42 It's \$160,000. It's 80 and 80.

43
44 Council President Leventhal,
45 80 in each of the first two years.



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1
2 Glenn Orlin,
3 That's right.

4
5 Council President Leventhal,
6 Okay. Ms. Praisner.

7
8 Councilmember Praisner,
9 In the interest of trying to get things better coordinated, my concern with the list, and I
10 don't have suggestions for additions or deletions. My concern is in the facility planning
11 document on page 112, circle 112, that we look at master plans and development
12 activity going on the extent to which some of these support, compliment, maximize the
13 value from, et cetera, and with that in mind, I would highlight the Olney Transit Center
14 which should be looked at within the context of the town center work that may or may
15 not be going on based on what happens with the activity now being organized by Park
16 and Planning on that issue. So I would not want us to... Well, I believe there is an order
17 and we have a order. I would not want to us say, oh, we couldn't coordinate this
18 appropriately with what may be happening, because we didn't have this on our list to do
19 in the timing that fits what the private sector may be doing, not that the private sector's
20 moving aggressively right now, but we're starting to organize the Olney Town Center
21 Advisory Committee, et cetera. DPWT needs to monitor what's going on there,
22 therefore, its work on an Olney transit center would be done in a timely manner to fit
23 whatever is going on in the town center. That's the only comment I would make.

24
25 Council President Leventhal,
26 Very good, there are no other there are no lights on, so that would conclude the
27 transportation... So that would include the transportation CIP.

28
29 Councilmember Floreen,
30 We'll return to a couple of these elements on the 6th and then later as we deal with the
31 issue of coordination with the state.

32
33 Council President Leventhal,
34 Okay.

35
36 Councilmember Floreen,
37 Thank you.

38
39 Council President Leventhal,
40 The Council stands in recess until the hour of 1:30.

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1 Council President Leventhal,
2 Good afternoon ladies and gentlemen. This is a public hearing on a supplemental
3 appropriation to FY '06 Capital Budget of the Department of Public Works and
4 Transportation, for elevator modernization much needed in the Council Office Building
5 this building, in the amount of \$472,000. There are no witnesses but we are going to
6 vote immediately following the hearing which will be right now.

7
8 Councilmember Praisner,
9 I'll move approval.

10
11 Councilmember Andrews,
12 Second.

13
14 Council President Leventhal,
15 Ms. Praisner has moved, and Mr. Andrews has seconded. The supplemental
16 appropriation of \$472,000, so that we may finally replace these rotten elevators in this
17 building. Those in favor of the motion will signify by raising their hands. It's unanimous
18 among those present. Agenda item 12. This is a public hearing on a supplemental
19 appropriation to Montgomery Colleges FY '06 capital budget, and amendments to the
20 FY '05 through 2010 capital improvements program. For the Takoma Park/Silver Spring
21 Parking Garage number two in the amount of \$1,390,000. There are no witnesses, but
22 we are going to vote immediately, I need a motion.

23
24 Councilmember Praisner,
25 So moved.

26
27 Councilmember Floreen,
28 Second.

29
30 Council President Leventhal,
31 Ms. Praisner has moved, and Ms. Floreen has seconded the supplemental
32 appropriation of Montgomery College for the Takoma Park/Silver Spring parking garage.
33 Those in favor will signify by raising their hands. Source of funding is the college's
34 capital projects fund. And that is unanimous, and we actually have the six votes that we
35 needed to do this. So, unanimous among those present. All right. We did not; we only
36 needed five on the first one. Okay, we now have before us the recommended FY '07
37 through 2012 capital improvements program for public libraries. Will the library
38 department representatives please come forward? The Health and Human Services
39 Committee met twice to discuss the CIP for libraries. We did not complete its work on
40 the issue of parking at libraries and we will continue that discussion on March 27th. The
41 total CIP for libraries is \$71.4 million. An increase of 2.2 million or 3.2 percent over the
42 CIP we adopted two years ago. We'll just begin a minute, did you want to start we any

53

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1 comments [INAUDIBLE]? I'll work my way through the memo. Parker welcome aboard.
2 Here's your first chance as our new Director of Public Libraries to get chewed up by the
3 County Council.

4
5 Councilmember Praisner,
6 Won't happen, I will protect her.

7
8 [LAUGHTER]

9
10 Council President Leventhal,
11 We're rough.

12
13 Parker Hamilton,
14 I know you're rough but I expect good treatment thank you. It's good to be here. Thanks
15 Marilyn.

16
17 Council President Leventhal,
18 Good to have you. All right, so we'll begin with the Davis Library renovation. The HHS
19 committee concurred with the County Executive's recommendations on this project. We
20 concurred with all of the recommendations of the County Executive on this project, and
21 there are no questions. Clarksburg Library bottom of page 5 we agreed with the County
22 Executive's recommendations on this project with no changes. Regarding funding the
23 exact management of the development district has yet to be determined but the
24 committee agreed that we should go ahead and adopt a PDF that assumes there will be
25 development districts, and we are aware that there is ongoing discussion of exactly how
26 those will be constituted and what the obligations of the various parties will be. Ms.
27 Praisner.

28
29 Councilmember Praisner,
30 I just wanted to comment. We did take the final actions on one of the developments
31 districts in the Clarksburg area. There are two that are outstanding. And I am anxious
32 from the MFP Committee perspective that we move on these issues and that we go
33 through the rest of the procedures necessary, the library was already identified as I
34 recall. As we went through the first development district for some assumptions of
35 development district funding. So, I think it's important for us to tie these up and move on
36 them. So, I would hope that we could get some action from the Executive Branch or at
37 least an identification of the issues that are still outstanding on the other two
38 development districts. Folks are moving in every day.

39
40 Parker Hamilton,
41 Right.

42
43 Councilmember Praisner,
44 And it's important that we be clear
45

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1 Parker Hamilton,
2 There's a community meeting scheduled in Clarksburg April 5. That's a Wednesday
3 evening.
4

5 Councilmember Praisner,
6 No, I understand that, but the process for the development district includes the
7 preliminary identification of the facilities that would be covered by that, a discussion
8 between the developers and the County. A determination of what would be the
9 appropriate level of assessment for each home. That is everything we went through with
10 the first district. My point is, the assumption always was that these districts would be
11 completed as far as the mechanisms before we had a significant number of occupants.
12 So, and we do have one for which all of the work has been done including identifying
13 the library as the place where some of this, where we need the revenue in order to
14 make it go. So, I would hope we would see the other two, within the next few months.
15

16 Parker Hamilton,
17 We're working hard towards that.
18

19 Council President Leventhal,
20 Okay. Any other questions on the Clarksburg Library? I'm sorry I skipped over the
21 Potomac Library which also we had no disagreement with the County Executive's
22 recommendations on, on the Potomac Library. Okay. Next than would be on page 7 of
23 the memo. The Gaithersburg Library renovation. We had a number of communications
24 from the community about this. The Executive Branch clarified that there were some
25 cost categories that were incorrectly, those were corrected by the cost shifts were not a
26 function of delay. Martha why don't you explain the reason why the community thought
27 this thing was being delayed and we don't think it is.
28

29 Martha Lamborn,
30 Well just looking at it has money in an extra fiscal year. So you can understand why
31 people would assume it to be delayed. However it's a nice round number and basically,
32 what we have tried to do this time is that the larger or the more complicated projects
33 tend to be the ones that fall off schedule, even when everybody is working as hard as
34 they can and you're not trying to delay them. We don't know which ones those will be.
35 But a number of projects have been placed like this. It is probable that the money will be
36 going out the door in this way, assuming that the project stays on schedule. We pay the
37 bills the next year anyway.
38

39 Council President Leventhal,
40 Mr. Knapp.
41

42 Councilmember Knapp,
43 Thank you Mr. President, in the packet it notes that there is a temporary facility that's
44 warranted, and I have had conversations with library staff that have indicated that. Do



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1 we have any idea at this time as to the whens and the wheres how that ties in and just
2 what kind of capacity we're going to have for that?

3
4 Parker Hamilton,

5 Basically we're going to be looking at a modular unit as a kind of core piece. But were
6 working with other community partners in order to have programs and services probably
7 in Montgomery Village probably with the Recreation Department. Gaithersburg is a high
8 circulation library, and we must have some type of service in that area.

9
10 Councilmember Knapp,

11 So, where are you looking to put a modular facility?

12
13 Parker Hamilton,

14 We have a cost associated with it, and we're thinking perhaps close to the current site,
15 but we don't know for sure yet. So, we still have a lot of options out there that we're
16 exploring.

17
18 Councilmember Knapp,

19 And what is the timing in which you need to kind of reach a conclusion on, make a
20 determination as to where you think you want to do that?

21
22 Parker Hamilton,

23 Basically, once we get the go ahead in terms of funding, the options will come together.
24 We've had staff doing investigative work, so we've had options available to us, and
25 we're almost ready to really make a decision on it.

26
27 Councilmember Knapp,

28 And when you do that is that a conversation you have with the Gaithersburg Library
29 Action Committee, so they've had feedback into that.

30
31 Parker Hamilton,

32 Yes.

33
34 Councilmember Knapp,

35 Okay, thank you.

36
37 Council President Leventhal,

38 Mr. Andrews

39
40 Councilmember Andrews,

41 Thank you, I'm very glad to hear the Exec. Branch say they don't anticipate a delay in
42 when the library would open. That you anticipate that the Gaithersburg would reopen
43 after the renovations as of, by July 2009 which is what the community was hoping for,
44 and two million in FY '10 reflects when you think bills would actually, final bills would
45 actually be paid. It is really important to have a temporary library while it's being



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1 renovated, because as you have said, it is the busiest library in the county, I think the
2 circulation is about a million a year, and I think half of that roughly, it's also the largest
3 children's circulation in the system. So, it is a very highly used library, almost always
4 crowded and important not to lose that for the period of time that the renovation would
5 occur over. So, I'm glad to see that that's part of the plan. Oh, and Parker are you going
6 to do everything by the book?

7
8 Parker Hamilton,
9 Do everything by the book, absolutely!

10
11 Council President Leventhal,
12 Excellent, all right. So, we're good with the Gaithersburg Library and we are looking
13 forward to it opening. It's much-needed. Olney Library, we actually did move the project
14 up by two years, on pages 8 and 9. There was a squeeze in the CIP and the County
15 Executive thought he could achieve some savings by delaying this project and the HHS
16 committee told him no, we don't want you to do that. Ms. Praisner?

17
18 Councilmember Praisner,
19 Well, again, my comment from this morning about the Olney Transit Center, this PDF
20 assumes that the building will be renovated on the existing site. And while I appreciate
21 the moving it up and that probably will be on target with the activity going on in Olney, I
22 don't think we should automatically preclude that there might be a possibility since it's
23 such a tight location, that, and when we discuss the only master plan, we talked about,
24 perhaps, relocation in the town center. So I would hope that, again, aggressive
25 interactions with the Town Center Advisory Committee, the Planning Board staff, and
26 the property owners to look at all options in this process.

27
28 Council President Leventhal,
29 Okay, Mr. Knapp.

30
31 Councilmember Knapp,
32 I just wanted to echo Ms. Praisner's sentiment. And I was also going to, although she
33 just left, ask Natalie, because I believe Natalie is, Natalie Cantor is the County
34 Representative on the Olney Town Center Advisory Committee to make sure that,
35 pulling that coordination together. Because that's going to be pretty critical and to drive
36 that as necessary. Thanks.

37
38 Council President Leventhal,
39 Okay, very good. So, the Council approves the Olney Library project, and that takes us
40 to the Silver Spring Library project, another one that the HHS committee did not
41 approve delaying for two additional years. We know there are, we don't yet control of
42 the site, but there is strong support for this project in the community and HHS
43 committee made the judgment that we could afford it in the early years of the CIP. If
44 there are no questions or comments on the Silver Spring Library, we will go to page 12,
45 the Wheaton Library. Right, isn't that next? Page 12, the Wheaton Library, on which we



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1 concurred with the programming in the County Executive's recommended CIP. And if
2 there are no questions or comments on the Wheaton Library, we had closeout of the
3 Aspen Hill Library elevator renovation, and Bethesda Regional Library renovation
4 pending closeout. The Germantown Library, since we're here with you Parker, why don't
5 give us just a very brief update on the status of the Germantown Library please.

6
7 Parker Hamilton,
8 I'm going to turn it over to Bruce Johnson and he can give us the update. Thank you.

9
10 Council President Leventhal,
11 Yes, please.

12
13 Bruce Johnson,
14 As I think you know, we have had a, the original contractor on this project has defaulted
15 under the contract and gone away. The bonding company of contract has taken over
16 the project. We signed a takeover agreement with the bonding company at the end of
17 February, and they now have a contractor named Whiting Turner on the job, performing
18 work, just a small group. We do not have at this point an approved schedule for the
19 completion of this. We are working with Whiting Turner and the bonding company to get
20 that schedule and will advise everybody once we have it. Obviously, we would like to
21 have it done sooner than later and we're pushing very hard on that.

22
23 Council President Leventhal,
24 Okay. Let me say that Bruce Romer and Parker Hamilton, from my perspective, have
25 done a good job of keeping me advised of the status of this project. This is a project of
26 great interest to all Councilmembers. And each time I've spoken with Bruce about this,
27 I've encouraged him to make sure that he's in frequent contact with the community, with
28 the Library Advisory Committee, with whatever civic associations, Mike Knapp would
29 know, you know, Town Center Advisory Committees, whatever are the groups, the
30 Chamber of Commerce, that are watching this most carefully. This is a very unfortunate
31 set of circumstances. Most of which are not the County's fault. We issued a low bid, the
32 contractor couldn't fulfill the terms of the contract, and so, I think the community will
33 understand, I hope the community will understand, that you know, things happen. Bad
34 things happen, and this is unfortunate. As long as they're informed of it, and we're not
35 keeping it secret from anybody, I think there's a willingness to give the County the
36 benefit of the doubt as long as we keep the communication going.

37
38 Bruce Johnson,
39 And we will do that. Yes.

40
41 Council President Leventhal,
42 Mr. Knapp?

43
44 Councilmember Knapp,



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1 Thank you, Mr. President. I concur, and Mr. Romer and I talked back in the fall, and we
2 had that conversation, and I think since then we've had two community meetings, at
3 least two, maybe three, and I appreciate that. And I think that, you know, I think that
4 sentiment continues, as long as we keep the community in the fold, people aren't
5 thrilled, but they understand and are willing to move along. And you know I will continue
6 to put out the notion of let's do this as quickly as we can, because it's actually having a
7 significant economic impact in the new town center. There are a number of businesses,
8 I've talked to many of them that are really feeling the squeeze because there was a
9 level of traffic that they anticipated that they're just not seeing yet. So that's going to be
10 important. The other thing is, given the projections that could move into July, or July,
11 August, as we're moving things in, have we taken the appropriate steps for all the
12 potential summer activities, summer reading program? But more importantly, to be sure
13 that the feedback is out into the schools, potentially, because a lot of folks may not
14 participate in the summer reading program, but as parents are taking full advantage of
15 the library on a daily basis who may not be aware that that may not be a resource
16 they're not going to be able to use this summer. So that that information is out broadly in
17 the community. People may not be going to meetings to hear it, but, so if we could send
18 it home in backpacks with kids sooner than later, maybe something to consider.

19
20 Parker Hamilton,
21 Our Agency Manager Maria [Particar] is really doing a good job of keeping the
22 community informed, schools and everything, and we'll check with her to be sure that
23 we have some flyers going to the school. I have not heard that we've done that. We will
24 be sure that we do that, as well.

25
26 Councilmember Knapp,
27 And also the home school community.

28
29 Parker Hamilton,
30 Right, thank you.

31
32 Councilmember Knapp,
33 Great, thank you.

34
35 Council President Leventhal,
36 Mr. Silverman?

37
38 Councilmember Silverman,
39 Thank you. Well, in terms of keeping folks informed and, including the Council, I see on
40 my calendar that the next meeting of the Health and Human Services Committee, which
41 is nothing to do with the library issue, happens to be at 2:00 on April 3rd and I'm going
42 to request that we get in writing from the Executive Branch, what the status of the
43 Germantown Library is. I think that we ought to have something that we can distribute to
44 our constituents, but more importantly, somebody ought to be able to tell us, I would
45 hope in the next couple of weeks, what is a reasonable timeline for this. And if it isn't by



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1 April 3rd then when is there be a timeline on this? Because we are all getting the same
2 kind of questions, and we appreciate that everybody wants to get it done, but we've had
3 slippage in the past on other capital projects, and this is a very important capital project
4 for everybody. So, appreciate if we can get an actual in-writing update. Thank you.

5
6 Council President Leventhal,
7 Okay, well thank you very much. The final time pending closeout is the Rockville
8 Library. We were told it will open in the fall of 2006, and the committee will be back to
9 discuss issues related to parking at that library later. So, actually March 27th we're
10 scheduled to talk about that. So, you said our next meeting is April 3rd, but we're
11 meeting before April 3rd.

12
13 Councilmember Silverman,
14 I was trying to give them two weeks.

15
16 Council President Leventhal,
17 April 3 is fine, but you said the next meeting of the HHS Committee, but April 3rd is fine.
18 Okay. So, the library budget, then, is tentatively approved by the County Council. The
19 next item before us is cost sharing for two arts related projects, I'm sorry, no, where are
20 we now, item 14. Where's my memo on the Public Arts Trust?

21
22 Councilmember Silverman,
23 Here, take mine.

24
25 Council President Leventhal,
26 Okay, I don't know what happened to mine.

27
28 Councilmember Silverman,
29 Unless, of course, you highlighted yours.

30
31 Council President Leventhal,
32 No, I didn't, no no, but I don't seem to have it here. Well, thank you, Mr. Silverman and
33 Ms. Praisner. Okay next item, agenda item 14 is the Public Arts Trust. And always a
34 pleasure to see Theresa Cameron. The committee recommended approval of the
35 Executive's recommendations on the Public Arts Trust. If possible, the committee also
36 recommended \$25,000 addition in current revenue to develop a plan for maintenance of
37 public art. We also recommended amending the Public Arts Trust law to require annual
38 rather than quarterly reports on the location and work, locations and works of art
39 selected for Public Trust Funding. That's the long and the short of it. If there are
40 highlights you'd like to bring to our attention, feel free to do so.

41
42 Minna Davidson,
43 No, I think you've covered it all. I think the issue of maintenance has been a long-time
44 issue and I think that the trust is very anxious to beginning to address that, and that's
45 the only thing I would add.



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1
2 Council President Leventhal,
3 Great. On the change to law, we will see that separately, right? We will do that as a bill.
4 Okay? Ms. Praisner.

5
6 Councilmember Praisner,
7 I just wanted to note, I think it is important that we look at the maintenance. It's also
8 important, I think, given the public arts, the evolution of the public arts legislation that we
9 use the opportunity of the change, and the requirement of the cycle for the report to also
10 see if there are other things we want to modify within the legislation. And indicate that
11 from my experience, having had to sit here earlier and vote yes or no on specific art
12 projects, this is a heck of a lot better way of dealing with it. But we do, once having
13 spent the money, need to maintain the art wherever it is and in appropriate fashion.

14
15 Theresa Cameron,
16 I just want to mention to Ms. Praisner too, a couple of years ago we were talking about
17 making sure everything is going to be online and that will happen this year.

18
19 Councilmember Praisner,
20 Right, yeah.

21
22 Council President Leventhal,
23 Making sure everything was going to be what?

24
25 Councilmember Praisner,
26 Online.

27
28 Theresa Cameron,
29 All the artwork will be online so that you can have map.

30
31 Councilmember Praisner,
32 So you can map it and if you're going to walk through say the Germantown area, you
33 can know where the art is and go visit it, et cetera.

34
35 Councilmember Knapp,
36 It will be at that new town center park we're going to get done.

37
38 Council President Leventhal,
39 Okay. Okay, so, public arts trust is approved. The next two items are two cost-sharing
40 items. Support for Adventure Theater was requested by Adventure Theater and
41 recommended by the Executive. The recommendation is \$200,000 in current revenue to
42 support Adventure Theater. This is a match for state bond bill funding, it is a complete
43 renovation of the theater space in Glen Echo Park. The total cost of the renovation is
44 estimated at \$1.3 million of which \$400,000 is the County's share and the rest comes
45 from state and private funds. This is the second installment of the County's commitment

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1 to this project. And the second item is the Old Blair Auditorium. Last year the Council
2 approved a total of \$190,000, which partially matched state bond bill funding. Of that
3 amount 50,000 in current revenue was for the Department of Public Works and
4 Transportation to develop a program of requirements and cost estimate for the project.
5 The Department of Public Works did hire a consultant and did develop a program of
6 requirements and a cost estimate. And Mr. Omidvar, maybe you can share with us now
7 more than you were able to share with us in committee as to what we anticipate the cost
8 of renovation to this auditorium would be. Because at the time it was in committee, you
9 had just that day, I think, or the day before, received the consultants' report and weren't
10 in a position to comment on it yet. Are you able to comment now?

11
12 Hamid Omidvar,

13 Great, good afternoon. I'm Hamid Omidvar with DPWT. We, as you said, on that same
14 day you received the report, the cost estimate, which is a combination of cost estimation
15 and program of requirement, meaning the scope of the work for that project. We put this
16 into our system and a number we have now, it ranges between 2.2 to four million. The
17 reason is there are two sets of numbers in the cost estimate. One has to do with use of
18 the existing HVAC system, and the other one is for total change of HVAC system to
19 separate it from the school operation. All these depends on the MOU that we need to
20 work with the school, and other things that are in the presentation that be presented to
21 the committee depends on the result of our discussions and our finding. Then we would
22 be able to tell you which one of these two, what range there is, but it falls between those
23 two scenarios as of today.

24
25 Council President Leventhal,
26 Martha, go ahead.

27
28 Martha Lamborn,

29 During the HHS committee meeting, Mr. Perez asked that we gather together the whole
30 range of participants, and...

31
32 Councilmember Knapp,
33 Can you break into song there?

34
35 Martha Lamborn,

36 My son tells me I should not quit my day job. In any case, Dan is doing so and I think
37 we're scheduled for the...

38
39 Dan Parr,
40 31st.

41
42 Martha Lamborn,
43 31st.

44
45 Dan Parr,



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1 10:00.

2
3 Martha Lamborn,

4 10:00. so, we will be finishing our, or will be making our initial effort at gaining
5 consensus about what the scope can and needs to be.

6
7 Council President Leventhal,

8 Okay, the PDF for this project states that the Council would consider appropriating
9 \$140,000 in bond funds, after facility planning is complete and the full cost of the project
10 is known. We seem to be close to that now. "B," the County, the public schools and the
11 Old Blair Auditorium resolve issues about management of the renovation project,
12 operation of the facility and parking, a critical point, for the facility. And I assume this
13 meeting on March 31st will begin that process.

14
15 Martha Lamborn,

16 Yes.

17
18 Council President Leventhal,

19 And "C," the Old Blair Auditorium Project raises the remaining \$410,000 required to
20 match the state funding. Stewart Moore is here. Maybe you can update us on any of
21 these points.

22
23 Councilmember Praisner,

24 You need to introduce yourself.

25
26 Stewart Moore,

27 Yes, thank you. I'm Stewart Moore, from the Old Blair Auditorium Project, thank you.
28 We, at the last session, at Health and Human Services Committee session, we had
29 asked if it would be possible to make the matching requirement, not contingent on
30 raising the full amount, but on raising the comparable amount, and that was left as a
31 note in the notes, but no conclusion was made.

32
33 Council President Leventhal,

34 Well in committee, committee members expressed a willingness to talk about lowering
35 the match requirement, below \$410,000. But not to change the first two requirements.

36
37 Stewart Moore,

38 Right, that's right.

39
40 Council President Leventhal,

41 And so there's some work under way there and I guess it would, I guess as one
42 Councilmember, my sense would be I'd like to see items "A" and "B" finalized before we
43 talked about releasing the rest of the money.

44
45 Stewart Moore,



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1 Yes, that seems reasonable, yes.

2
3 Council President Leventhal,
4 Mr. Silverman?

5
6 Councilmember Silverman,
7 Thank you, Mr. President. I apologize for not having been able to attend the committee
8 meeting. I'm as supportive as many are of seeing this happen. The question, I guess I
9 have, is we're going to get another proverbial bite at the apple, my understanding is that
10 the County Executive did include and what's the number? 310? 310,000? I know, you
11 only do capital, put 310,000 I believe in the Operating Budget.

12
13 Martha Lamborn,
14 \$310,000 in the Operating Budget.

15
16 Councilmember Silverman,
17 There you go. Well, it would seem, I mean, since we're just at this preliminary stage
18 anyway, that we will have another opportunity revisit this issue in committee, and I
19 guess my thought was that since that will happen after this March 31st meeting or
20 whatever and after presumably the community has had an opportunity to look through,
21 you know, the documents here, that maybe we'll be able to have a more productive
22 discussion in committee at that time about the scope of the program and all of this, who
23 goes first element. So, I'm certainly supportive of what the committee did at this point.
24 But I know we will have a chance to come back and look at this in the context of the
25 Executive's request and the study, which I have to say, this is the first I've heard this
26 kind of a number, that's quite a surprise, I think. So, I'm supportive of where you are, I
27 just wanted to say that, and we'll look to take this back up, I guess, in committee when
28 we take up the Operating Budget provision. Was there a... well, whatever, we'll get the
29 information about how the number was arrived at when we get to committee, I guess,
30 Mr. President/Chairman.

31
32 Council President Leventhal,
33 Ms. Floreen?

34
35 Councilmember Floreen,
36 Thank you. Yes, I've been following this with some interest and I'd just ask that as the
37 committee works through this, it get a clear plan in place for long-term operations and
38 maintenance and so forth. Actually, it's something we already talked about, with respect
39 to the Civic Center, and in Silver Spring. And I am just a little concerned that we have
40 the right, that it's clear that this is a community-driven project. And one of the
41 fundamental elements of, the challenges of the Strathmore, the music center issue, was
42 that it was always a government project. And in trying to shift the emphasis from
43 government to community, it's not easy, when you have, you know, a lot of public
44 dollars involved. In what is viewed as a community project by others, and what should



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1 ultimately be that. So, I would encourage the committee to take that into consideration
2 and certainly the community. Where is the community on its fundraising for this so far?

3
4 Stewart Moore,

5 Well, we've done some grassroots fundraising to essentially boot strap our organization
6 but we have retained a fundraising expert in the area of non-profits to develop the
7 capital campaign. That's going on right now.

8
9 Councilmember Floreen,
10 How much have you raised?

11
12 Stewart Moore,
13 We've raised about \$60,000. But that's different than what is needed to be raised for the
14 capital campaign.

15
16 Councilmember Floreen,
17 And what's your thinking about operations and maintenance and so forth?

18
19 Stewart Moore,
20 In particular?

21
22 Councilmember Floreen,
23 From how the community would be supporting that.

24
25 Stewart Moore,
26 Yeah, well, we recognize that it will require an ongoing support and the expectation is
27 that there will be some sort of membership, community membership support.

28
29 Councilmember Floreen,
30 So will you be bringing that to, I would ask that you bring that to the committee so they
31 have a chance to...

32
33 Stewart Moore,
34 Yes.

35
36 Councilmember Floreen,
37 ...to take a look at that in conjunction with all the other activities in the immediate area,
38 not to mention the County.

39
40 Stewart Moore,
41 Right.

42
43 Councilmember Floreen,
44 So, I know that's a big load.



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1 Stewart Moore,

2 It is. Well, you know, we're an all volunteer organization except for the fundraising
3 support that we've retained, but we're pretty effective with what we've got, so.

4
5 Councilmember Floreen,
6 Great, great, well thanks..

7
8 Stewart Moore,
9 But they're the right kind of questions.

10
11 Councilmember Floreen,
12 Well thanks very much.

13
14 Stewart Moore,
15 Thank you.

16
17 Council President Leventhal,
18 I'd just like to understand in the meeting on March 31st and other meetings that follow,
19 what is the, what is the role of the Executive Branch? Let me ask a particular question,
20 Parking? Okay, there isn't parking. It's a thousand seat auditorium. There are not a
21 thousand parking spaces. What would be -- who's going to represent the Executive
22 Branch at this meeting? Are you Hamid?

23
24 Hamid Omidvar,
25 Yes, we are.

26
27 Council President Leventhal,
28 And what would the Executive Branch consider an acceptable accommodation to the in
29 fact there is no parking?

30
31 Hamid Omidvar,
32 At this point, our effort was to study the requirement to figure out what the zoning
33 required, what the parking group requires, and then capability of parking. Some parking
34 study done by our Division of Operations to figure out who can park in the community,
35 what areas there are, is it feasible, is it not feasible? And then bring all that to the
36 meeting and we discuss it. So, our role is to make sure whatever is there is realistic.

37
38 Council President Leventhal,
39 Okay, the site abuts Sligo Creek Park. The residential neighborhood, very narrow
40 streets, most of them one-way, immediately adjacent. And Dale Drive, which is a
41 heavily-traffic street on which parking is restricted. Where would you think parking might
42 take place.

43
44 Hamid Omidvar,



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1 We have a report which is called Circle 16 and 17 by Chance Management Advisors.
2 These are the group hired, consultant hired, to the parking study and those are the
3 alternatives that would be on the table to be discussed.

4
5 Council President Leventhal,
6 So, does this chart on Circle 16 show that a total of 19% of potential attendees at shows
7 could park? Am I reading this correctly?

8
9 Don Shorman,
10 Don Shorman with the design group, for DPWT. What the report shows is they did an
11 on street, they did an onsite survey of the actual parking, which was occurring on a
12 given day. So, if you're looking at Circle 16, they basically did the on street inventory
13 and they did the actual on school inventory and they went through and basically showed
14 the amount of usage across the day for the spaces that are available. If you go to Circle
15 17, they basically compare back and forth as to what the code requirement is. They
16 actually show you what some of the other parking is at some of the other larger schools.
17 The basic conclusion that came out of this is, while there isn't the exact code-required
18 number of spots on, at the school, that when you take into account the street inventory,
19 we actually have excess amounts of parking available within the area of the auditorium.
20 It would, however, require that during the day, during school operations, given the
21 usage that the school itself has, the auditorium would be restricted probably from being
22 able to be rented out to the community during daytime hours, during school operation.

23
24 Council President Leventhal,
25 Let me understand, the on street parking, I'm reading on Circle 17, on street parking is
26 also available along Shiler Road and Dartmouth Avenue. However, much of the supply
27 is restricted to residents with a parking permit.

28
29 Don Shorman,
30 Yes.

31
32 Council President Leventhal,
33 Well, is that a yes or is that a no? Is it a parking or not parking? If you can't park there...

34
35 Don Shorman,
36 The study looked at parking on Wayne Avenue, principally, not back in the
37 neighborhoods, because neighborhoods are heavily restricted. Although there are, you
38 can find like 30 feet here that's not and 40 feet there that's not.

39
40 Council President Leventhal,
41 Will the study take into account the possibility that the purple line might run along
42 Wayne Avenue? Didn't take that into account? Didn't consider that. But Wayne Avenue
43 is a possible alignment for the purple line.

44
45 Don Shorman,



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1 As is Sligo and couple of other places, yes. So no, we did not.

2
3 Council President Leventhal,

4 Will it be taken into account at the meeting on March 31st?

5
6 Hamid Omidvar,

7 We need to take that question back, oh Dan

8
9 Dan Parr,

10 I'm Dan Parr, I'm Confidential Aide to Councilmember Tom Perez. At the 31st, the
11 purpose of the meeting is to lay all the issues out on the table. This and many other
12 issues and identifies who has the answers, should be getting the answers and when we
13 will get the answers, and so I can't tell you what the exact outcome will be, but at the
14 end of the meeting my hope is that we have all the issues on the table that are
15 outstanding so we know what section "B" in the PDF actually includes.

16
17 Council President Leventhal,

18 Okay well Hamid, I want a request of DPWT that any parking estimate factor in the
19 potential for a Wayne Avenue alignment for the purple line.

20
21 Hamid Omidvar,

22 Okay.

23
24 Council President Leventhal,

25 Ms. Praisner?

26
27 Councilmember Praisner,

28 Well, the point I guess I wanted to make in comparing schools, the challenge here is
29 that parking at the other schools is controlled, the effects or the need for is controlled by
30 the fact that the principal and the school system controls everything that's going on in
31 that building at that point. Or knows such that you don't have the conflict or you could
32 minimize the conflict. In the case of the Old Blair Auditorium, the issue will be the MOU
33 between the School System and the County, I guess, or whomever, and that's another
34 piece that's unclear to me, but the point being it's more than just the HVAC and who
35 carries the utility costs and whether they're connected and whether you can use the
36 restrooms in the school. It's also an issue of how you're going to ensure that four
37 different events aren't occurring at the same time or the availability of parking is a moot
38 point. You won't have it. You won't even have availability to use something if there's a
39 school activity being used by the school system. So, obviously that's on the list. But if it
40 isn't, it is now, I assume, Mr. Parr. Thank you.

41
42 Council President Leventhal,

43 Okay, there are no more questions or comments on this item. We will be back to
44 discuss it in the operating budget, as well. Thank you very much. Okay, that concludes



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1 the HHS Committee's portion of the CIP. We now take up the Housing and Community
2 Development portion. Chairman Silverman?

3
4 Councilmember Silverman,

5 Thank you, Mr. President. We're on agenda item 16. Summary of the PHED Committee
6 recommendations. We recommended 2 to 0, Ms. Praisner was absent on other Council
7 business. Approval of the expenditure schedule and appropriation of design funds for
8 the Long Branch pedestrian linkages projects, but recommends against appropriating
9 construction funds at this time. We're very concerned, raised a lot of questions about
10 public safety issues, and we requested that the department return after design is
11 complete and information is available about how public safety issues will be addressed
12 for the path and bridge, and after that, the committee would consider funding the project
13 through the supplemental appropriation process. There is some language at the bottom
14 of page 1 and the top of page 2. Has the department had a chance, somebody in the ,
15 had a chance to take a look at the language? Why don't you identify yourself?

16
17 Luann Corona,

18 I'm Luann Corona, the acting Chief of the Community Development Division and
19 Elizabeth Davison is sick today, that's why she's not joining you.

20
21 Councilmember Silverman,

22 Okay. So, has anybody taken a look at this language, by the way, don't we, ah, there
23 you are. Has anybody looked at the PDF language?

24
25 Luann Corona,

26 I just read it. It looks fine.

27
28 Councilmember Silverman,

29 Looks fine. Okay, all right. Questions?

30
31 Councilmember Praisner,

32 I just wanted to indicate that I support, although I wasn't present, I support the
33 committee's decision.

34
35 Council President Leventhal,

36 I'm sorry, I was doing something else. I have an item regarding.

37
38 Councilmember Silverman,

39 We just did the first item, the Long Branch pedestrian linkage.

40
41 Council President Leventhal,

42 Yeah, I'm not, Linda where does this fit, the thing you just handed me?

43
44 Linda McMillan,

45 It can fit right now actually, because it is a part of it.

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1
2 Council President Leventhal,
3 Can we take it up now? It's not a pedestrian item. But anyhow here's the issue. The sign
4 at the Long Branch Community Center is in disrepair and it's dark and hard to see. It's
5 often actually blocked by shrubbery. And so what the community is asking for a new
6 sign and DHC estimates that the cost of an electronic sign that could be updated with
7 events on this kind of thing would be \$25,000, based on a similar sign that the school
8 system recently installed. So, I'd like to move that we add \$25,000 to the CIP for Long
9 Branch community improvement.

10
11 Councilmember Silverman,
12 Right CIP or wrong CIP?

13
14 Linda McMillan,
15 It's the 42, it's the handwritten it, it's the \$42,000.

16
17 Councilmember Silverman,
18 Oops, it just went up!

19
20 [LAUGHTER]

21
22 Council President Leventhal,
23 42, that's what I meant to say. It's 62, right, 42 for the sign and \$20,000 for brick and
24 decorative elements.

25
26 Linda McMillan,
27 By the time they were done at Rockville High School it was about \$62,000.

28
29 Council President Leventhal,
30 Okay, total of \$62,000 for a new sign for this community landmark.

31
32 Councilmember Silverman,
33 Does this go in this CIP, this PDF, no wait, in this PDF or does this go in the Rec.
34 Department?

35
36 Linda McMillan,
37 I think it probably goes in the Rec. Department .

38
39 Councilmember Silverman,
40 Martha?

41
42 Martha Lamborn,
43 It could...

44
45 Councilmember Silverman,



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1 For 10 points.

2
3 Martha Lamborn,

4 For 10 points it could go in this project, but depending on the timing that you want it, you
5 would need to appropriate it.

6
7 Councilmember Silverman,
8 Yes.

9
10 Martha Lamborn,

11 Frankly there's probably a PLAR or some other place that's better. Yeah. That's better
12 than mixing it in to a project that you're holding the appropriation for until certain
13 conditions are met.

14
15 Councilmember Silverman,
16 Can I just suggest we find another place for it? But I certainly...

17
18 Council President Leventhal,
19 Okay, we will look for a place for it. Great, thank you.

20
21 Councilmember Silverman,
22 Next thing...

23
24 Council President Leventhal,
25 Mr. Knapp has a comment.

26
27 Councilmember Knapp,
28 Sorry, just a technical question to be considered. Good idea, we tried to do something
29 similar in Town Center in Germantown and Parking and Planning, for a variety of
30 reasons, you couldn't put that kind of sign in. So, I only raise that as something to be
31 considered that we've now appropriated the money, but just you may want to follow up
32 and be sure it fits the various other requirements from a county perspective, so that you
33 are managing the expectation in the right direction.

34
35 Martha Lamborn,
36 I can actually respond to that. You're right, that were the sign to be a marquis sign,
37 revolving in any way, then it wouldn't fall within the sign ordinance for this location.
38 However, if it's done the way the public high schools are doing their signs, then it's fine.

39
40 Councilmember Knapp,
41 Very good.

42
43 Councilmember Silverman,
44 Does that mean we're going see it an appropriation request for Germantown?



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Councilmember Knapp,
Now that we know how to do it!

Councilmember Silverman,
Yeah, exactly!

[LAUGHTER]

Council President Leventhal,
I will second, I will second the motion.

Councilmember Silverman,
Find a place for it.

[LAUGHTER]

Councilmember Silverman,
All right. Next item is Fenton Street Village pedestrian linkages project, which the committee supported. That is a, an increase, trying to find the language here, as to why it went up. Why did it go up? Remind me again. No one can answer? Okay. It is the way it is. Okay. Right, it was a different approach. That's why. That's why, that's what it says, we're sticking to it. Everything goes up. Okay, next item, approval of the Montgomery Hills pedestrian village project as recommended by the County Executive. We want this to be coordinated with DHCA and the Department of Public Works and Transportation. There's an update on page 5. There was a meeting on March 15th. Talks were frank and cordial.

[LAUGHTER]

Councilman Silverman,
Both departments confirm their respective scopes of work and scheduling didn't overlap or conflict. That's reassuring to us all. And they will continue coordination. Next item is approval of the South Silver Spring pedestrian project as recommended by the Executive and there's economic funds in here that are being used, actually, did we use this during FY '06, Martha? We may. You don't know what I'm talking about. I'll just keep moving along until someone asks a question. That's probably just easier. We've got an affordable housing acquisition PDF, which is a half a million dollar place holder, and that was recommended by the County Executive. We made a minor wording change, that's just in FY '07 and FY '08. We took out the other language that is on the PDF on Circle 32.

Martha Lamborn,
Because it was incorrect, so we all agreed it was incorrect, so we took it out.

Councilmember Silverman,



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1 That's right! We're about correcting these things. All right, and we amended the
2 community development block grant capital appropriation PDF to reflect the
3 Committee's recommendation that 350,000 in FY '07 is not being appropriated, at this
4 time, for construction of the Long Branch pedestrian linkages project for the same
5 reason that we said before. We're, we would expect when to, perhaps, get back
6 information about this?

7
8 Martha Lamborn,
9 We would expect to come back to you in early summer. We need to get to a 30%
10 design stage before we can do that.

11
12 Councilmember Silverman,
13 Okay, great. Well, that's it Mr. President.

14
15 Council President Leventhal,
16 Well, that's it?

17
18 Martha Lamborn,
19 Don't get smart!

20
21 Council President Leventhal,
22 Ms. Praisner has a comment.

23
24 Councilmember Silverman,
25 That's not it!

26
27 Councilmember Praisner,
28 No that's not it, he skipped over facility planning.

29
30 Councilmember Silverman,
31 How could I skip over facility planning?

32
33 Councilmember Praisner,
34 He's being cute!

35
36 Councilmember Silverman,
37 Oh, because I was working off of the summary. I'm sorry, I apologize. It was not
38 intended. Facility planning, here we are. Circle 43 is where the PDF is. We
39 recommended approval. I know Ms. Praisner wants to talk about Burtonsville.

40
41 Councilmember Praisner,
42 Actually I wanted to talk about the whole facility planning.

43
44 Councilmember Silverman,
45 By all means.

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1
2 Councilmember Praisner,
3 I think, well I have two concerns. One, and I had asked and wasn't present, had asked
4 and the packet includes some additional information last year. We put within the facility
5 planning PDF a specific requirement that work be done in Burtonsville, and I appreciate
6 the work of the staff. Obviously this is not moving as quickly as I would like, as we all
7 would like, given the complexities, but there are businesses that are hurting in
8 Burtonsville right now as the result of the relocation of 198. Some lunchtime businesses
9 is off 2 to 4,000 a week already for some of the restaurants and there are others that
10 are also indicating to me that they're having dramatic decreases from a standpoint of
11 the, there are signage issues and there are also questions of access and there are
12 questions about what the old piece of Route 29 now is called. So, that folks now how to
13 give directions. It's a whole host of problems. But, my concern is that Burtonsville is the
14 tip of the iceberg as far as non-municipal areas where there are revitalization and
15 challenges for small businesses and businesses. Glenmont is another one. Outside of
16 central business districts, and I think we have stabilized this dollar amount. In fact, not
17 put in the dollar amount that's necessary, whether it's up county, mid-county, anywhere
18 you want to go in the county. I think we need to add some additional resources to this
19 PDF. We also need to look at, and I guess it's in the Operating Budget, the small
20 business relocation fund, which, under Councilmembers Perez and Denis was instituted
21 several years ago, focused initially with the Woodmont-Bethesda area and downtown
22 Silver Spring. But as we know, there are other projects that are going on that are
23 impacting small business. Burtonsville is just another example. I'd like to move the
24 addition of \$25,000, which isn't peanuts, really, to this amount, but to at least start to
25 increase the funding for facility planning. Because of the dramatic problems we're
26 having.

27
28 Councilmember Silverman,
29 Second.

30
31 Council President Leventhal,
32 Okay, hearing no objection, the \$25,000 will be added.

33
34 Councilmember Silverman,
35 That, I think does actually conclude the...

36
37 Council President Leventhal,
38 And that's it for DHCA.

39
40 Councilmember Silverman,
41 Okay, thank you.

42
43 Council President Leventhal,
44 Next item is housing opportunities commission. Oh, next item is Wheaton and Long
45 Branch redevelopment.



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Councilmember Knapp,
Can we do my sign now?

Councilmember Praisner,
Yes.

Councilmember Silverman,
No!

Councilmember Praisner,
No!

Councilmember Knapp,
When are we going to do my sign?

Councilmember Praisner,
Your sign is in.

Councilmember Silverman,
We haven't, but yeah, but we just haven't found a place for it.

Council President Leventhal,
We just don't know where.

Councilmember Silverman,
We'll find a place.

Councilmember Praisner,
Yeah, yeah, you're okay.

Councilmember Silverman,
It's looking for, in search of a PDF.

Councilmember Praisner,
It's out there in cyberspace.

Council President Leventhal,
Chairman Silverman.

Councilmember Silverman,
Okay, again Ms. Praisner was away on Council business. We have the Long Branch
Town Center redevelopment PDF, which is on Circle 1. Which is a \$300,000 item
current revenue, continue the progress being made in planning for revitalization, Long
Branch Town Center. This is tied into the Long Branch pedestrian linkages. This part of

75

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1 the planning effort will focus on the super block in the town center and is based on the
2 Urban Land's Institute Study in work of the Long Branch Task Force. This will be used
3 to plan for public amenities in parking and we expect that we will have private sector
4 participation and support. Long Branch has also been, and folks may know, designated
5 as a Maryland Priority Place. Now, does that come with a big check?

6
7 Councilmember Praisner,
8 No.

9
10 Council President Leventhal,
11 No. I actually...

12
13 Councilmember Silverman,
14 You weren't there to get the big check?

15
16 Council President Leventhal,
17 There was no big check! I shook the governor's hand. I didn't even get a chance to
18 speak. I thought I would give remarks, but you were in and out, he shook hands, and we
19 were gone.

20
21 Councilmember Silverman,
22 No check?

23
24 Council President Leventhal,
25 It's a priority, we're a priority.

26
27 Councilmember Praisner,
28 Took a picture.

29
30 Council President Leventhal,
31 Long Branch is a priority.

32
33 Councilmember Silverman,
34 Okay. Okay, anything on Long Branch? No. Okay, Wheaton redevelopment program.
35 This is an increase of \$745,000, most of which is in the back two years. We had an
36 update on Wheaton redevelopment efforts, facade improvement efforts are moving
37 along successfully. Primarily because the County is going to fund the full cost of the
38 facade improvements. That will always move things along. The FY '07 funding will be
39 spent on funding will be spent on the replacement of streetlights, facade improvements
40 in Triangle Park are, and continued streetscaping. We did have an update on the
41 overlay zone issue. And are recommending approval of the Wheaton Redevelopment
42 Project as recommended by the County Executive.

43
44 Council President Leventhal,
45 No lights.



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Councilmember Silverman,
Marilyn?

Councilmember Praisner,
No, I'm fine.

Councilmember Silverman,
Okay. All right, that's it. That's it? That's it, that's it Thank you.

Council President Leventhal,
Okay. Housing Opportunities Commission.

Councilmember Silverman,
Now, we're on HOC. Okay. All right. PHED committee met to review HOC's FY '07-'12 CIP program, recommended approval as submitted by the Executive, but noted that some projects would be reevaluated during the FY '07 budget process. The Executive had recommended two projects for funding through an FY '06 special appropriation. Supplemental funds for public housing improvements, which was an additional one million and HOC's telephone system at \$750,000, which I think we funded, we didn't fund.

Martha Lamborn,
We said we will come back to it during Operating Budget.

Councilmember Silverman,
Okay, all right. So let's talk about the, see what we've got here first. We've got HOC's MPDU property acquisition fund, which is on Circles 4 and 5, which is just... He plays an attorney on TV. Which is \$8 million request. The Executive recommended zero. The committee did agree with the Executive's recommendation not to fund it, and said that we could review this at the time of the operating budget, when the committee reviews the County's housing initiative fund, which we will do at that time. Supplemental funds for public housing improvements, the agency request was 5.5 million. The Executive supported that. And we agreed committee 2:1. Now I have to remember who was the one?

Martha Lamborn,
Ms. Praisner.

Councilmember Silverman,
Ms. Praisner is the one. You wanted to do it, that's right, okay. We wanted to take a look at the million dollars in FY '07. And we didn't fund the request as a special appropriation. I'm going to suggest the following. I'm going to suggest that we put the million dollars in at this point as part of the CIP recognizing that it will be part of our reconciliation process, and it may not end up being the whole million, but I think this is



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1 the best way for us to insure that it's in play. Do you have a comment on that, Madame
2 Executive Branch?

3
4 Martha Lamborn,

5 Yes, the Executive will be recommending as part of his budget adjustments, \$1 million
6 in the '07 timeframe.

7
8 Councilmember Silverman,
9 Beat him to it.

10
11 Martha Lamborn,
12 Good for you!

13
14 [LAUGHTER]

15
16 Councilmember Praisner,
17 Even before he knows what's happening at the state.

18
19 Councilmember Silverman,
20 Right. Okay. Well, let's go ahead ...

21
22 Council President Leventhal,
23 Ms. Praisner wanted to comment.

24
25 Councilmember Silverman,
26 I'm sorry, go ahead.

27
28 Councilmember Praisner,
29 Well I wanted to comment that these two things are falling through the cracks and I'm
30 glad that Mr. Silverman is suggesting the million. I'm worried about the telephones.

31
32 Councilmember Silverman,
33 We didn't even get to the telephones yet.

34
35 Councilmember Praisner,
36 Well, both of those were '06, okay, well, all right. Well, my point was we need to not let
37 that fall through the cracks.

38
39 Councilmember Silverman,
40 I don't know where Ms. Floreen is but I'm prepared to suggest we put the phone system
41 in, as well.

42
43 Council President Leventhal,
44 The government just slung a million dollars back.



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Councilmember Silverman,
No, it's 150,000, that's the beauty of March.

Council President Leventhal,
Yeah!

Councilmember Silverman,
Nancy? What do you think about that?

Councilmember Floreen,
Well, keeping in mind that everything is fluid...

Councilmember Silverman,
Yes!

Councilmember Floreen,
The real issue is how it competes at the end.

Councilmember Silverman,
That is absolutely correct, but it doesn't, as we all know it doesn't get there unless we put it in play at this point. And since we know that the Executive has indicated to us that this is a good year, that we ought to make sure that these one-time expenditures are in place and available for us to debate in the Spring as part of our reconciliation process. Okay. The HOC new office building, come back to us when you find something. We're all ears. And we talked about the sprinkler system and that's it for HOC.

Council President Leventhal,
Did you deal with phones?

Councilmember Silverman,
We did, we're...

Council President Leventhal,
Putting the money back?

Councilmember Silverman,
Putting the 750 in.

Council President Leventhal,
All right, so that's it for HOC. Without objection. Revenue Authority?

Councilmember Silverman,
All right. Anybody here from the Revenue Authority? Can't get your money! It's true, every other entity comes here and gets money...



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1 Councilmember Praisner,
2 They're not playing golf.

3
4 Councilmember Silverman,
5 That's right. It's snowing. They should be here. Okay. Well, I'm sure they're on their
6 way. Let's see, the first was Hampshire Greens Golf Course, \$550,000. The committee
7 recommended approval because it's self-supporting and provides for cost effective
8 efficient course maintenance. Did Mark write that? Yes, he did. Then there's the airport
9 thing, the requested authorization is \$172,000, which we recommended because we
10 have to make the improvements in order to be in compliance with FAA standards, and
11 in order for the facility to get federal and state funding. So, this falls in the we had no
12 choice category. And there were some changes...nope, that's it. That's it, that's it.

13
14 Council President Leventhal,
15 Okay. There are no questions about the Revenue Authority. So we turn now to the Park
16 and Planning. As our new Parks Director, Mary Bradford, comes up I realize I should
17 have acknowledged when we were dealing with the Long Branch community
18 improvements, the outstanding work she did in a previous life as co-chair of the Long
19 Branch Task Force, which...

20
21 Mary Bradford,
22 Thank you.

23
24 Derick Berlage,
25 She's the woman of many talents. We are thrilled to have her.

26
27 Councilmember Silverman,
28 Okay. Marlene, we have an addendum here. It looks like there's an egregious \$244
29 error?

30
31 Marlene Michaelson,
32 It's not an addendum, but a...

33
34 Council President Leventhal,
35 Oh, give him the \$244, come on! It's a good year, they can have the \$244.

36
37 Derick Berlage,
38 Thank you Mr. President.

39
40 Council President Leventhal,
41 We can afford it.

42
43 Marlene Michaelson,
44 As you get to life cycle asset replacement project. There was an error in the report of
45 the committee recommendations.



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1
2 Councilmember Silverman,
3 Okay, so that's where we have to, okay, and so you're going to highlight this little
4 attachment, right? Wherever we have to get to where we have to get to.
5
6 Marlene Michaelson,
7 Sure.
8
9 Councilmember Silverman,
10 Right?
11
12 Marlene Michaelson,
13 Yes and the X's.
14
15 Councilmember Silverman,
16 Okay, because it's...
17
18 Marlene Michaelson,
19 The committee recommendation is actually 169,000,243, which is very close to where
20 the Executive came out, although...
21
22 Councilmember Silverman,
23 Not 170 million...
24
25 Marlene Michaelson,
26 Right it was a little bit less than that.
27
28 Councilmember Silverman,
29 Oh, my math is completely wrong too. I was looking at the wrong number. Okay. All
30 right. Okay, so, let's work our way through this. Then there were four. Oh, Nancy is
31 here. I'm sorry, you can't leave!
32
33 Councilmember Floreen,
34 Do you have extra copies of the addendum?
35
36 Councilmember Praisner,
37 There was no addendum, it was just a correction.
38
39 Councilmember Silverman,
40 Just errata sheets, sorry.
41
42 Marlene Michaelson,
43 It was just a correction on a number not...
44
45 Councilmember Silverman,



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1 Okay, projects requiring review. And somebody should just sort of like yell out if there
2 are questions about these. So, we're starting on page 2. Oh, do you have any opening
3 comments, Mr. Chairman?
4

5 Derick Berlage,

6 If you don't mind, very brief one. First, and I want to compliment our staff. As the Council
7 knows, several years ago we talked about two big priorities, improving our CIP
8 implementation rate, which used to be one of the lowest in County Government, and
9 doing something about the backlog of maintenance and infrastructure, under the
10 leadership of Mike Riley and other staffers at Park and Planning. The CIP
11 implementation rate is now up to 92%. It's one of the highest implementation rates of
12 any of our agencies. We have accomplished that over the last several years. And was
13 infrastructure, with the funding you gave us last year and we hope you give us this year,
14 we have reduced the backlog of major maintenance projects by 80%. We are now
15 renovating 10 playgrounds a year. We have doubled the number of ball fields that are
16 being renovated to 20 per year. So, we are making tremendous progress on the
17 infrastructure and maintenance goal. But we do need the funding to continue to flow or
18 else we will quickly return to where we were several years ago, but I want to thank the
19 staff and thank the Council for your support in prior budgets has allowed us to do these
20 things.
21

22 Councilmember Silverman,

23 Thank you, Mr. Chairman. And I agree with you, you've got a great staff. Appreciate the
24 very hard work of Mike Riley and everybody on his team, and Mary, welcome aboard.
25

26 Derick Berlage,

27 Make them even better.
28

29 Councilmember Silverman,

30 Okay, so let's sort of go through this. The first item on page 2 is Brookside Garden
31 master plan implementation. The committee recommendation is to support the staff
32 recommendation, include all funding for phase I, which is all contributed by private
33 sources and designed for phase II, to provide the department with the opportunity raise
34 private funds for construction of phase II, if the department is successful in its fund
35 raising efforts, the committee would support amendments for future phases so you can
36 see in the box charts on the bottom of page 2. We basically took out monies in 9, 10, 11
37 and 12, knowing that they will come back to us. Facility Planning local parks. Committee
38 recommendation is to support Park and Planning's request to allow for adequate
39 funding for facility planning, and we added \$30,000 above the amount requested by
40 Park and Planning to allow additional facility planning requested by the committee, in
41 connection with the North Four Corners local park, which we will get to later on. Again,
42 the box at the bottom of page 3, outlines Park and Planning's request, the Executive,
43 which was about half of that. And the committee's recommendation. The group noted a
44 tremendous backlog of parks, 36 parks that need facility planning. And who said it will
45 lead to more frustration from the community? Did we say this? Just looking at the



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bottom of page, oh, from one group requesting that, whatever the group is, they were very frustrated. So, we're all about facility planning. It will give the next Council an opportunity to have some actual potential projects on the table two years from now. Okay. Germantown Center Urban Park, Mr. Knapp. The committee recommends funding of design for '09, '10 and '11. That's a change from the, from page 4 document. And we are asking that Park and Planning work with County government on storm water management options and when they come back for actual construction dollars, they should be prepared to discuss the costs and benefits of alternative storm water options, including a less-expensive above-ground option, but this does provide monies on a more accelerated basis for yes/ no?

Marlene Michaelson,
It's the same time.

Councilmember Silverman,
Same schedule, I'm sorry.

Marlene Michaelson,
Same schedule, It won't start until FY '09.

Councilmember Silverman,
Right, sorry, same schedule. But we took out the construction dollars because there is an ongoing issue involving storm water management, and we're just expecting that they'll come back to the next Council and at that time have a more definitive plan, Mr. Knapp.

Councilmember Knapp,
Thank you, Mr. Chairman. I appreciate the concerns that have been raised, although I'm still not convinced that they're all that onerous, that takes us two and a half years to get them resolved. And given the fact that this is pretty critical to getting the town, the core of the town center done, I would actually like to try and accelerate this further if at all possible. One of the things I'm going to propose to put out there in the, in the vapor with Mr. Leventhal's request for the sign, is, I believe there was \$550,000 requested for planning and design of the [INAUDIBLE] Regional Services Center re-use, which still, it amazes me, very large number for basically renovation of a floor and a half. Right, so, one of the things I would like to propose is to see if we can take at least some portion of those resources and move them into FY '07...'08. And I have a phone message out to Chuck, I just don't know when the planning and design was programmed for the re-use and try to use that to accelerate.

Councilmember Praisner,
It was '07.

Councilmember Knapp,



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1 It was '07? To see if we can accelerate this project, and so I just wanted to get reaction
2 from...the planning board chair.

3
4 Derick Berlage,

5 This is a project which we at the commission strongly support and we know that there is
6 a high cost but the reason there's a high cost is that the park basically was left with, the
7 park system left with the least desirable piece of land in the Germantown Town Center.
8 As to the timing, I'd like Mike Riley to... Suggesting money could come from another part
9 of the budget to us.

10
11 Michael Riley,

12 Well, the challenge with accelerating this project is partially the spending affordability
13 guidelines for Park and Planning bonds. We had many local parks come out of facility
14 planning and although this project was a priority to the planning board because of its
15 high price tag, we couldn't insert it within spending affordability in the first few years of
16 the program. That's one of the reasons that it sits out. So, acceleration in the earlier
17 years would trigger us looking at that affordability cap.

18
19 Councilmember Knapp,

20 Okay. I don't know what would be the procedural element we'd need to do to get
21 through that or around that? Or are there none and we just need to do it in two more
22 years?

23
24 Derick Berlage,

25 That wouldn't be a question. And here we are!

26
27 County Clerk,

28 And here we are! Changes to spending affordability for parks would mirror the way you
29 would make changes at the May timeframe for the County government. In other words,
30 if you wanted to vote a budget that is greater than spending affordability, you can do so,
31 requires a super majority of 7, I believe.

32
33 Councilmember Knapp,

34 Okay. I would, I had not had an opportunity to speak about this with Ms. Praisner, but I
35 don't know if this is consistent with the conversation you had, or if this is a total left-hand
36 turn and something the committee probably wouldn't want to endorse at all.

37
38 Councilmember Praisner,

39 Well, may I comment?

40
41 Council President Leventhal,

42 Yes, go ahead.

43
44 Councilmember Praisner,



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1 We did have our final discussion yesterday on facility planning for the reused space of
2 the Germantown Library, which is what you're referring to. We, I think, share your
3 questions about the dollar amount associated with that and, in fact, asked for what
4 could be done with different amounts. This is actually just the planning money and some
5 design money. It isn't the construction. And we were concerned about the construction
6 costs internal. They have done some modification and left us with information that might
7 shave money from that project, but in the end, what we decided is to keep the dollar
8 amount on schedule, but add to the PDF language that relates to the actual construction
9 costs, which we think should be lower and, therefore, the capacity to do some
10 modifications with the design. They talked about, as I recall, 400,000, I think, rather than
11 the 515 perhaps. But we kept the dollar amount at 515 and we're waiting to see a
12 language for the PDF that would kind of direct what will be done internal to that building
13 there. So, maybe we should hold this and look at it in the context of the additional
14 information we're getting on the PDF and talk about it combined with that.

15
16 Councilmember Knapp,

17 Okay, that may make sense. The only other question is if we were to use current
18 revenue that would kind of give us the ability to potentially put this ahead.

19
20 Councilmember Praisner,
21 And not bonds?

22
23 Councilmember Knapp,

24 Right. For the planning. If that were to be the case, I hear you say this is purely a... just
25 a fiscal issue, as opposed to and actual, having capacity to have the project issue, I
26 mean we still have some things that need to be worked out from the storm order
27 management piece, but could get that funded and begin to move the process forward.

28
29 Michael Riley,
30 That's correct.

31
32 Councilmember Knapp,

33 Okay. I'd like to make a motion to... we can either hold it in reserve or make a motion to
34 accelerate this to FY '07, pending this further discussion. So that we can accelerate this
35 project for planning and design FY '07, FY '08. Either looking at current revenue or
36 looking at the capacity we may have.

37
38 Councilmember Silverman,

39 I just guess what I would suggest is why don't we leave it as pending this further
40 discussion and then we can deal with this in the reconciliation process? You know,
41 when there's always improvement one way or another on a lot of different things.

42
43 Councilmember Knapp,
44 Okay.



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1 Councilmember Silverman,
2 Okay.

3
4 Council President Leventhal,
5 Ms. Praisner.

6
7 Councilmember Praisner,
8 Yeah, I think the question would be, and obviously it's affecting that same community,
9 but it's also affecting department agencies that need to move into the, or look at how
10 you use the space within the Government Center. Some of which is the old library
11 space. So, first question is when is the library going to be available for them to start
12 moving the books and having the space vacant? Then what is your plan for possible
13 occupants of that space? What we've heard is that they're, they, some of it is dropping
14 the ceilings, they may not drop the ceilings. Some of it is re-using carpet space that's
15 there. Some of it might be just adjusting with module rather than reconfiguring all of that.
16 Plus we raise issues about what actually goes in there, not setting any precedent or
17 pattern for something that isn't consistent with Government Service Center operations.
18 So, all of that we can talk about within that context. My comments that I put my light on
19 for, besides amplifying on that, are two other comments. One, I think we need to look at,
20 and I would want the planning board to come back to us and tell us how we can improve
21 the planning process such that school system doesn't get left with parcels that are not
22 viable for building schools on. And the County doesn't get left with the park site that
23 causes us to absorb significant more costs because it is not, it's the least ideal parcel.
24 And I remember the complexities of the roads and the developers and who was going to
25 go and whatever. But... We are still left holding the bag, so to speak, with a community
26 expectation for a park that doesn't meet the parameters of what we're left with except
27 for very expensive costs. And the other point I would raise is the same thing I raised
28 yesterday, Derick, when we talked about Damascus, where planning staff was raising
29 some concerns, granted it was the [INAUDIBLE] watershed and impervious issues, but
30 when we're talking about facilities within the watershed, where storm, undergrounding of
31 storm water management is an issue that raises concerns. I have concerns of
32 undergrounding storm water management anywhere, let alone with a government
33 requirement for maintenance and operations. And so, I'm not, I'm anxious to move
34 forward on this project but I'm not there yet when it comes to the undergrounding issue.
35 And so, that's another problem that I would want to have resolved for my satisfaction
36 before I can totally support this project. I think some community members who were
37 here for other projects have raised legitimate questions about now, maybe in this case,
38 the development is all occurred already. And you're limited in what you can do. But if
39 you use other more environmentally positive development requirements you may be
40 able to minimize and therefore there might be some other options, but I'd like us to
41 explore those.

42
43 Councilmember Knapp,
44 I think those are fine points. One other question, I don't know where this fits within the
45 actual Urban Park Project, there is also a road that kind of bifurcates that that needs to

86



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1 be connected, as well. And I don't know if that's a developer responsibility, or if that is
2 something that is a function of the actual development of the park itself, but we're
3 getting to the point where, that just, people may be able to transverse that whole parcel
4 is getting very cumbersome to the extent that we can get moving forward on that road.

5
6 Tricia McManus,
7 Tricia [McManus] with Park Development. That project, which is Locbury Drive, I believe
8 you're referring to, I believe that's a DPWT project. I'm not sure where it falls within their
9 CIP, but it was something that they were building.

10
11 Councilmember Knapp,
12 Okay. Thank you, we can explore that with them. Okay. Thanks.

13
14 Council President Leventhal,
15 Okay?

16
17 Councilmember Silverman,
18 Okay. No. 4, page 5, Legacy Open Space. Committee supports the funding proposed
19 by Park and Planning. We asked Park and Planning to make every effort to spread out
20 payments over a multiyear period, which I know Bill does a great job of, and we
21 appreciate the hard work there. The box on the top of page 6...

22
23 Derick Berlage,
24 The Carol Place is under contract.

25
26 Councilmember Silverman,
27 I'm sorry?

28
29 Derick Berlage,
30 Carol place is under contract.

31
32 Councilmember Silverman,
33 Ah, great! Okay. Save the Circle.

34
35 Derick Berlage,
36 We shall, we shall save it!

37
38 Councilmember Silverman,
39 The box on the top of page 6 indicates what the recommendations are from the
40 Executive. The key challenges is in FY '07 and that's going to be a key challenge for us
41 when we go through our balancing act in the Spring, because it's a \$3 million additional,
42 3.2 and some change, in FY '07 and that's, again, because of the nature of some
43 projects that have, have come up that were not anticipated. Next item, North Four
44 Corners local park had extensive discussions about this, this is a park that's scheduled
45 for design work in FY '12. The committee supported, including funding for design in FY



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1 '12 but amended the PDF to indicate that we wanted to have the next Council look at
2 different options for this site. And that's where we put 30,000 into facility planning local
3 parks PDF to support additional analysis requested by the committee. Where is the
4 language, Marlene?

5
6 Marlene Michaelson,
7 We don't have the specific language here.

8
9 Councilmember Praisner,
10 I don't think we do.

11
12 Councilmember Silverman,
13 But it was carrying on our tradition. Mike, the tradition, when you were President, was
14 everything's on the table. The tradition this year is we're considering all options. So, in
15 this case...

16
17 Michael Subin,
18 That's not mine!

19
20 Councilmember Silverman,
21 Somebody's tradition. The new buzzword. Anyway, we asked Park and Planning to look
22 at all options, in connection with North Four Corners local park and come back in two
23 years. All right. See anything, okay, we're on to the Rock Creek Trail pedestrian bridge,
24 which is on page 8. Supporting the revised schedule for the Praisner bridge, proposed
25 by Park and Planning, so we won't jeopardize T-21 funds, but we would spread out the
26 County's obligation for Geo bond funding and we appreciate the ability to have those
27 dollars spread out over 7, 8 and 9 while we don't jeopardize the T-21 funds, thank you.

28
29 Councilmember Praisner,
30 I had a suggestion. I would suggest that you look to cingular or anyone else for
31 contributing to pay for the lights on that bridge, in exchange for their tower capacity.
32 There's no coverage in that area and I bet we could get a good contribution for the
33 bridge by having them pay for the lights...

34
35 Councilmember Knapp,
36 Yeah, sure.

37
38 Council President Leventhal,
39 That is a horrible dead zone.

40
41 Derick Berlage,
42 We will be delighted to reach out them.

43
44 Council President Leventhal,
45 Viers Mill Road is really bad for cell phone users.



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1
2 Councilmember Praisner,
3 And from a park and safety perspective, as you know from the initiatives to put the
4 funds in the park, not wired, not cell, I think we could leverage some funding by making
5 an approach there.

6
7 Derick Berlage,
8 We will explore that. Good idea.

9
10 Councilmember Silverman,
11 Okay. We're on to South Germantown Recreational Park non-soccer facilities.
12 Otherwise known as the, yes, mooseum. Okay, we have late-breaking news, the
13 mooseum got money from the senate. It looks like that's going to happen. \$150,000, I
14 believe, which would suggest that in order to meet the increased cost associated with
15 this, which is \$219,000 that we would probably then have to put in \$69,000. So, so the
16 recommendation was that we were going to wait on whether to appropriate the funding
17 until there was a decision. So, I think we should come back to this at reconciliation.
18 Although, I have to say the committee did recommend and with lightning speed, there
19 was a, you know, the bond bill in and it moved through the senate. So, mooooo-ved
20 through the senate. Very good, Ms. Praisner.

21
22 Councilmember Knapp,
23 In this year of the Ag Reserve I appreciate the references to our agricultural friends. But
24 I'm still struggling with figuring out how a project that two years ago was supposed to be
25 about 75 to \$100,000 to put in sprinklers became a \$550,000 project, and so, I just...

26
27 Councilmember Silverman,
28 The Fire Marshal. Take it up with the Fire Marshal.

29
30 Council President Leventhal,
31 I love Montgomery County!

32
33 Councilmember Praisner,
34 The Fire Marshal, you can do that, Take it up with the fire Marshal.

35
36 Councilmember Knapp,
37 I find of couple of departments I don't call to make changes with. Generally the Fire
38 Marshal is one of them.

39
40 Councilmember Praisner,
41 I agree with you, but that's it, that's the reason.

42
43 Councilmember Knapp,
44 But I mean, that's all it is. The fire suppression, it's a \$550,000 fire suppression system
45 for a barn?



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1
2 Councilmember Silverman,
3 If you wanted to save anybody who was in there...

4
5 Multiple Speakers,
6 [INAUDIBLE]

7
8 Councilmember Silverman,
9 For \$75,000, they can put sprinklers in the dome.

10
11 Michael Riley,
12 It does also include...

13
14 Councilmember Knapp,
15 [LAUGHTER]

16
17 Councilmember Silverman,
18 All right.

19
20 Councilmember Knapp,
21 All right. I appreciate the committee's support for the mooseum and so do all of the
22 second graders at Motsanaga and other surrounding Elementary Schools who will
23 participate in programs there this year. It's more, they're the ones who are currently
24 using it and many on the schools will take advantage of it once we can get it opened.

25
26 Councilmember Silverman,
27 That's right. Okay. All right. We're on to no. 8. No. 8 is Silver Place MRO headquarters
28 mixed use project. The majority of the committee supported the PDF as requested.
29 Councilmember Floreen supports Councilmember Knapp's request to further explore
30 opportunities to relocate Park and Planning to Rockville, and therefore recommends
31 deferring consideration of the funding requested in this PDF. That's not the majority
32 recommendation, although my understanding is that part of the review of this whole
33 project might be moving somewhere else in Silver Spring as a part of it. But not to move
34 out of Silver Spring.

35
36 Council President Leventhal,
37 Didn't that already occur a couple of years ago?

38
39 Councilmember Silverman,
40 Didn't what occur?

41
42 Council President Leventhal,
43 A evaluation of other violates.

44
45 Councilmember Silverman,



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1 Yes, yes.

3 Derick Berlage,

4 This project has a lengthy history, and indeed all alternatives were considered. The
5 Planning Board and the Council came to a clear decision that Park and Planning should
6 remain in Silver Spring and that this site, in addition to being a potential headquarter
7 site, should be an affordable housing site, which it will be. Although this is described as
8 Silver Place MRO headquarters, I want to add that this is likely to be one of the County's
9 most significant affordable housing projects, as well. Because we're going to use the
10 land that is currently a surface parking lot to create a significant residential project.

12 Michael Riley,

13 In all Likelihood we will have a mixed use project with the headquarters and residential
14 built together partnership with the private sector.

16 Council President Leventhal,

17 Well let me just make a couple of comments on this point, because I did receive
18 Councilmember Knapp's memo, and I don't recall whether it was addressed to all
19 Councilmembers, or just the MFP Committee, but I have not responded to it. And let me
20 just say now, I mean, a few years back when the Conference Center was proposed
21 there were a number of folks who said it ought to be located in a revitalization area and
22 not on Rockville Pike. And the decision was made for a variety of reasons that Rockville
23 Pike was a better location and it's hard now to remember that Silver Spring at one time
24 was the depressed area of the county that needed investment. But the truth is Silver
25 Spring has succeeded because of a lot of strategic and strategically linked decisions to
26 invest private and public resources there. And I don't think given that Silver Spring has
27 been and continues to be a countywide priority that it is wise to withdraw this major
28 public agency from Silver Spring. I would not support it. I haven't had a chance to
29 address Mr. Knapp's memo privately, and I have an excellent relationship with Mr.
30 Knapp as I do with all of my colleagues. And I don't have to do this publicly, but I mean
31 just for the record, since we're dealing with this... [LAUGHTER] Anyone who wants to
32 move Park and Planning off the Silver Spring will have to get past me and I think others,
33 as well.

35 Councilmember Silverman,

36 Pry it from your cold, dead hands.

38 Derick Berlage,

39 I would also point that that we're well down the track. We just identified the three finalist,
40 development partners to bid on the project and the building is already long overdue. So,
41 to change location now would really upset the apple cart dramatically.

43 Council President Leventhal,

44 Okay, Mr. Knapp.



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1 Councilmember Knapp,

2 Thank you, Mr. President. I appreciate your remarks. And over the, the reason I actually
3 thought about this was Ms. Praisner had made a suggestion, I think it was back in
4 December, November. The notion of looking at all the government uses in the Rockville
5 core. And as we've had discussions and people traversing back and forth from
6 Clarksburg to Park and Planning and then subsequent issues in Montgomery Village
7 and other places, one of the issues that tends to come much lots of places that I go is,
8 you know, we'd actually participate more in the process of Park and Planning if we could
9 get there. That's a real issue. That's as our County continues to approach toward build-
10 out, that to have a significant agency like this located so far from so many residents, I
11 think is troubling. And to have something more centrally located makes a lot of sense.
12 The other issue that clearly we've seen over the course of the last year is the need for
13 County departments and agencies to have a stronger interaction that we have seen.
14 Now obviously, putting them near each other doesn't necessarily guarantee that, but it
15 certainly helps if you're running into each other on the sidewalk more than it does of
16 people having to get in their car and go half an hour to 45 minutes down the road. And
17 so I think there are a lot of legitimate reasons for us to reconsider this. The point that I
18 think the Council President has just raised as it relates to having a public/private
19 partnership, we just had HOC sitting before us half an hour ago that is still in search of a
20 place to reside and is also our lead agency for affordable housing. And so to do
21 affordable housing on that type of a site, and this, is merely a suggestion, I don't know if
22 it makes sense to do it or not, but worth exploring. Having HOC as potentially that entity
23 for the public/private partnership may be something to explore in that capacity, as well.
24 So to that end, I was going to actually move what I outlined in the memo, which is to
25 defer the PDF until we have a better understanding of the alternatives of actually
26 looking at locating Park and Planning in the Rockville core.

27
28 Council President Leventhal,

29 Okay, the motion is made and seconded. And Mr. Subin is next.

30
31 Councilmember Subin,

32 Well, it is true that certain discussions were held a number of years ago, when the issue
33 of the Conference Center and where it was to go arose. And there are a number of
34 considerations made and clearly one of the benefits of putting it in Silver Spring was, in
35 terms of development at Silver Spring was at that time. Well, there's been a major turn
36 around, whether Park and Planning is there, we move the Conference Center down
37 there now or not, probably is going to be a moment Mr. Denis made reference to a
38 minute ago, the discovery is now there. There are a number of restaurants that are very
39 attractive. There are places to do better retail than there was before. So, circumstances
40 have clearly changed. And it may or may not be a compelling argument that Park and
41 Planning should be here so there is ready access, but it is a compelling argument that it
42 is not an easy place to get to from Poolesville or Damascus. And it probably does stifle
43 folks from going down there. So I think this is not a motion, if I understand it right, to say
44 this will happen but that this is a motion to say we should discuss this and look at the
45 pros and cons, given that that much has changed since we did have our initial



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1 discussion on whether the Conference Center would move to Silver Spring or whether
2 Park and Planning would leave Silver Spring. I think it would be worth revisiting that
3 issue now.

4
5 Councilmember Silverman,

6 If I may Mr. President, let me comment on this. You know, if people wanted to take this
7 issue up, it might have been a good idea to have indicated this to Park and Planning
8 before they went through the entire RFP process because they are now at a point, and
9 the Council has approved money consistently for this, where they've got three bidders
10 and they're going to be looking for final proposals in order to make a decision. Deferring,
11 this is not an issue of, you know, deferring this until May, this is an issue of basically re-
12 opening the entire discussion about where Park and Planning is going to be. It's a pretty
13 big County out there, I mean, there were discussions a couple of years ago about trying
14 to potentially co-locate Park and Planning and HOC with the commercial project in
15 Wheaton. That didn't really fly, but I think this will set back this project, you know, I'm
16 going to say probably at least a couple of years. Because, you know, it's a huge County
17 out there. And what we're basically going to do is to say let's go inventory every place,
18 then there's going to be well, why would we just do this for Park and Planning? We
19 might as well throw HOC into the mix, and oh by the way don't forget the School System
20 is looking for a new place. Oh Mike, how about that? So, you're basically, essentially
21 saying that Park and Planning's going to stay in the current facilities that they have for
22 the foreseeable future. And I think there's also, quite frankly, a credibility issue here with
23 our RFP process, I mean when we put, I mean this has been in place, we've been
24 approving this every year and they've been moving along. And so to do a big about face
25 at this point really puts, really puts this off, I think any decision realistically for at least a
26 couple of years, if not longer, so, I can't support this.

27
28 Council President Leventhal,
29 Ms. Praisner?

30
31 Councilmember Praisner,

32 Well, I'm not going to support the motion, either. We have gone through a significant
33 amount of dialogue and discussion about this issue and including relocation of the
34 commission elsewhere. And I'm happy to hear that folks think that Silver Spring is done.
35 But it ain't. And nor are there lots of other areas of the County that need continuing and
36 ongoing monitoring. I appreciate the, and this is an issue of having made a decision,
37 gone through an RFP process, be ready to open the bids and then all of the sudden
38 decide oops, we changed our mind. There's a lot of work that's gone into this. And while
39 I respect the fact that some people weren't on this side of table when that occurred, I
40 think we can't keep changing our minds about things as dramatic as this. Let me also
41 say that we have begun a major discussion within MFP about the Rockville core, about
42 the fact that recently the Executive branch has notified us that because of modifications
43 and renovations needed in the Judicial Center and in the Executive office building, we're
44 going to have some challenges here. In the context of that, I did raise the point
45 and I think it's a legitimate and ongoing one, that we're ignoring technology. We're

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1 ignoring the capacity of people to, if we're going to encourage telework, there's also
2 communication between locations in the County. If that's the argument, we can divest
3 everything from the, from the core and move it elsewhere because it's closer and
4 inconvenient. Rockville isn't really convenient to folks who live in my neck of the woods,
5 as well. So Silver Spring may be convenient, but Rockville isn't. I think we are, we have
6 made a decision about the location of Park and Planning. We have made a decision
7 that has us ready to move to the next step. We have the capacity within the discussions
8 of the Rockville core to talk about providing space for Park and Planning functions to be
9 available here, as well. We have technology options that allow folks to access Park and
10 Planning materials online and we should do more for Park and Planning from the
11 technology upgrade perspective. You don't have to physically be located there. We
12 have the capacity with televising and with auditoria and materials are available for the
13 commissioners to travel rather than the community to have to travel. Outreach is an
14 initiative that I think we've all talked about strengthening, both with the commission and
15 with other functions of government, to turn around at this point and say this decision
16 was pre-discovery, it was not. And that this decision has not had, you know, the things
17 were okay in Silver Spring and now we can move it, is I think is ignoring the reality of
18 Silver Spring, but also more importantly in my view, ignoring how far along we are in this
19 process.

20
21 Council President Leventhal,
22 Before I call on Ms. Floreen, I'd like to ask Mr. Knapp, you know, all nine of us have
23 schedule obligations and all nine of us try very hard to be here for all Council work, but
24 we're debating a matter of enormous importance to the Fifth Councilmanic District
25 without the Gentleman from that district being present. And I would just ask the
26 gentleman from the second Councilmanic district whether he would consider deferring
27 his amendment until such time that the Councilmember who is most directly affected it
28 is present. Could we take it this debate up again in a few days or in a week? And have
29 this, this is a motion with enormous significance for relations among Councilmembers.

30
31 [LAUGHTER]

32
33 Council President Leventhal,
34 And I would just, I would just ask whether the gentleman is willing to withdraw his
35 motion until the Councilmember who represents the area could be present for the
36 discussion.

37
38 Councilmember Knapp,
39 No, and I fully anticipated that he would be here so, certainly I wasn't trying to make the
40 motion when he wasn't here. I, and in an effort to [INAUDIBLE], I don't have a problem
41 with that. I think the issue is on the table and I, you know, I think the arguments have
42 been made. I want to be sure everyone on the table has a full discussion. I don't have a
43 problem with that.

44
45 Council President Leventhal,



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1 Ms. Floreen.

2
3 Councilmember Floreen,

4 That's fine to delay a vote on this. I want to make a couple of points up. I was on this
5 site selection committee for the conference center. And we made a recommendation
6 and we went home, I think it was in August of some years ago. And people went on
7 vacation, what not, and came back. Only to discover that the site selected was
8 changed, was on one side of the pike, you may recall and ended up on another, that's
9 okay. I think the real issue here is not about Silver Spring, which has been suggested,
10 it's really about how we deal with Parks and Planning in the future and how we organize
11 our relationships with the other agencies. Frankly the real issue is, there is a project
12 that's for which there is an RFP, and I guess you have selected someone. Is that right?

13
14 Derick Berlage,

15 Selected three finalists, who will spend significant sums to do the final design. We will
16 pick the best design.

17
18 Councilmember Floreen,

19 That doesn't necessarily, this doesn't necessarily preclude that. It could be that is a
20 different agency that locates there. It might be Park and Planning, Certainly the
21 [INAUDIBLE] where maybe we can achieve some affordable housing is a very important
22 initiative. I think the issue for us is more how we coordinate our ultimate implementation
23 strategies that come out of Park and Planning in the future, for making sure that our
24 master plans get implemented, for making sure that public access to all the parties that
25 are going to be more regularly involved in the decision making. How that can happen
26 relatively easily, this is not to foreclose any option, but is a new issue that's come to the
27 forefront in the past year. And I certainly think it is worth considering.

28
29 Councilmember Silverman,

30 Well, let me just comment, because I know we're not going to vote on this and we will
31 come back on Tuesday when everybody is here. But this absolutely forecloses this.
32 We've just gone through two years of this process, we've just gone through Park and
33 Planning, putting out an RFP. We have told the public, and how many responses did
34 you get, Derick? To the RFP?

35
36 Derick Berlage,

37 About 10.

38
39 Councilmember Silverman,

40 10, 12, something like that. I mean, so let's understand what we're doing here. Because
41 deferring, you know, in effect taking this out of, and I realize it's March, but, you know,
42 taking this out and basically saying we're now going to completely revisit the issue shuts
43 down the RFP process. I think there's a huge credibility issue there, when we put RFP's
44 out on the street for public/private partnerships, number one, number two, this will take
45 years. There is no question about it. There is so many potential moving parts. And if



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1 that's where the Council wants to go, that's fine. But if we're talking about it doesn't
2 foreclose any opportunities, I suppose that's true. You can go off, have an interagency
3 task force, involving HOC, the School System, you know, the County Government, Park
4 and Planning, all looking for potential co-location opportunities and then maybe at the
5 end of day, well, let's stay in Silver Spring, then start the RFP process all over again, is
6 what ends up happening. And that's why I think that if people wanted to make, and I
7 respect Mr. Knapp's, you know, willingness to put this in, but if the sentiment of the
8 Council was to actually take a look at this as a serious option, it frankly it would have
9 been more advisable for this to have been raised by more than one Councilmember
10 months ago, if not a couple of years ago. Before we have gone down this path. So, we
11 will see where we are, I guess next Tuesday, if that's when you want to schedule it, Mr.
12 President? Well, it's Mr. Knapp's motion. But I just am asking Mr. Knapp, whether as a
13 courtesy he may put it off for a week. I'm willing to provide that courtesy. The, I
14 appreciate the point that Mr. Silverman just raises. Although I believe two years ago I
15 raised many of the same questions. I don't know if others raised them or not. So,
16 looking over the last couple of years, as Ms. Floreen just indicated, looking for a way to
17 see things are all functioning go forward, seemed to make a lot of sense. As Ms.
18 Praisner raised issues, I don't think she was giving the impression of referencing Park
19 and Planning, but it was a matter of, it got me thinking that now is the time to do this
20 before we get so far down the road that it can't be considered. This gets back to the
21 point you raised earlier that we're considering all options. If we're going to have a
22 serious conversation. Well, I guess in the considering all options category, what did we
23 do with that Germantown center, urban park? Oh, that's right, I guess that option is still
24 on the table, too. All right, so, next Tuesday, Mr. President, is that what I'm hearing?

25
26 Council President Leventhal,

27 It's Mr. Knapp's motion, I mean, but I just am asking Mr. Knapp whether as a courtesy to
28 the gentleman from Silver Spring, he might be willing to put it off for a week.

29
30 Councilmember Knapp,

31 No, I'm willing to provide that courtesy, I appreciate the point that Mr. Silverman just
32 raised, although I believe two years ago I raised many of the same questions, and I
33 don't know if others raised them or not. And so, looking at what has transpired over the
34 last couple of years, as Ms. Floreen just indicated, I think as we look to reorganize, and
35 come up with a way to make sure that all the pieces are functioning more appropriately
36 moving forward, it was something that seemed to make a lot of sense, and as Ms.
37 Praisner raised some of the issues that she did, I don't think she was necessarily
38 [INAUDIBLE] to give the impression, she was referencing Park and Planning, but it was
39 a matter of, it kind of got me thinking that now is the time to do this before we get so far
40 down the road that that just can't be considered, and this gets back to the point you
41 raised earlier, that we're considering all options, and trying to get them all out there, and
42 I think now is the time to do it if we're going to have a serious conversation.

43
44 Councilmember Silverman,



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1 Well, I guess in the considering all options category, what did we do with that
2 Germantown Center Urban Park? Oh, that's right, I guess that option's still on the table
3 too. All right, so, next Tuesday, Mr. President, is that what I'm hearing?

4
5 Council President Leventhal,
6 It's Mr. Knapp's motion, if he's willing...

7
8 Councilmember Knapp,
9 I already, I've said it twice, I'll say a third time.

10
11 Derick Berlage,
12 I hope that on Tuesday we will also have an opportunity to describe the working
13 conditions that Park and Planning currently with people working in the closets, in the
14 hallways, in areas that were designed for utilities, not people, and we have endured that
15 because we knew that the new building was coming. If we're going to be delayed, we
16 cannot sustain the current working environment indefinitely. And there would be
17 additional costs and decisions that would have to be made if this project was taken off
18 track, in terms of how we handle our employees in the meantime. Because they cannot
19 continue as they are much longer.

20
21 Council President Leventhal,
22 Mr. Chairman, I hope you and your entire facility team will be available for the
23 discussion on Tuesday.

24
25 Michael Riley,
26 We will be.

27
28 Councilmember Knapp,
29 I expect we will hear from many of them.

30
31 Councilmember Silverman,
32 All right, if I may, Mr. President, with on to no. 9. Page 12. Projects, the Executive
33 recommended funding with FY '06 supplemental. PHED committee recommended the
34 three infrastructure projects identified by the Executive in Park and Planning be funded
35 in the CIP. That's PLAR non-local parks for full funding in FY '07. There is a chart at the
36 middle of page 12.

37
38 Marlene Michaelson,
39 And I did want to indicate that the committee recommendation actually on PLAR was for
40 \$1.5 million a year, not 1.7. So, the committee did reduce the amount from what was
41 requested.

42
43 Councilmember Silverman,



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1 That's right. Okay, the second piece is pollution prevention, repairs to ponds and lakes,
2 supporting Park and Planning's original request with full funding in '07. That is, the
3 Executive, right, had funded this in '06. Right, Yeah.

4
5 Marlene Michaelson,
6 Correct.

7
8 Councilmember Silverman,
9 So, it looks like a zero, but in fact he put it in the '06 money. We're on the same
10 wavelength as the Executive is. And roof replacement, non-local parks, we support Park
11 and Planning's original request with full funding in FY '07, and to fund one-third as
12 current revenue and two-thirds via Geo bonds. Questions or comments? I don't see any.

13
14 Council President Leventhal,
15 Nope.

16
17 Councilmember Silverman,
18 Okay, we're on enterprise funds issues. We discussed in committee the Enterprise fund
19 status overall, which could be better. The committee recommendation on golf courses is
20 to support efforts to improve the financial viability of the golf courses, we are looking for
21 specific alternatives to be brought back to us and we know there is going to be
22 continuing discussions to between the Revenue Authority and Park and Planning, to
23 transfer operation of Park and Planning golf courses to the Revenue Authority.
24 Needwood golf course improvements, the committee recommendation is to defer
25 funding until a decision is made as to whether operation of the golf courses will, in fact,
26 be transferred to the Revenue Authorities. So, we expect that that will occur over the
27 next several months. Enterprise Facilities Improvements Committee recommendations
28 to support funding as requested. And request that parks and planning come back to the
29 committee after budget with a list and schedule of specific projects to be funded by this
30 PDF. It is clearly inadequate for the actual needs for renovations that are here. We are
31 expecting to get some further information about the Wheaton Tennis Facility. And do we
32 have a timeframe on that? I can't remember.

33
34 Marlene Michaelson,
35 We do, April 17th or 18th, whenever you do the operating budget.

36
37 Councilmember Silverman,
38 Okay. Okay. All right, projects requiring limited review. We're on the bottom of page 15.
39 ALARF Committee recommendations to support Park and Planning request as shown
40 on the errata sheet which is on Circle 2. Wherever that is. That's in the back.

41
42 Marlene Michaelson,
43 There is just an error in what appeared on the CIP on the funding sources.

44
45 Councilmember Silverman,



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1 Right. It's a million dollars, it's a million dollars a year, right, Marlene?

2
3 Marlene Michaelson,
4 Yes, that's correct.

5
6 Councilmember Silverman,
7 Okay. Ball field initiatives, the committee recommendation was to support the Executive
8 and staff recommendation for funding, and the staff recommendation to monitor costs
9 and benefits associated with artificial turf fields, prior to reconciliation. We've asked staff
10 to determine whether some portion of the project can be funded by Park and Planning
11 Bonds since there are some ball fields which are on local parks. Black Hill Trail
12 renovation and extension. Committee recommendation is to support the PDF as
13 submitted. Park and Planning and the Executive Branch are on the same wavelength as
14 is the committee. Cost Sharing For Non-local Parks Committee, supports Park and
15 Planning's request, which was slightly higher in '07 and '08 by \$25,000 for, in FY '07
16 and '08 that was staff recommendation and committee recommendation above the
17 Executive Branch. This funds development of non-local parks in conjunction with public
18 agencies or the private sector and we think, Park and Planning has indicated to us the
19 think there will be numerous opportunities for cost sharing in excess of the \$75,000
20 Okay, we're on to Elmhurst Parkway local park. This is a new project replacing a 50-
21 year-old Locust Hill neighborhood park. The Executive and staff all recommend this and
22 the committee recommendation is to keep it in the budget. But, of course, it's March.
23 Item 6 is facility planning non-local parks. Support the PDF as submitted, continue to
24 monitor planning for proposed improvements to the Ag History Farm Park. We've set
25 this at \$300,000 a year. And we're not really clear what is exactly contemplated by the
26 park, but we're looking to get information back from Park and Planning about specifics
27 on that. And we did something at the state, right? \$75,000 or something like that?

28
29 Marlene Michaelson,
30 They put money into a bond bill. I don't know what the status is. Yeah.

31
32 Councilmember Silverman,
33 Okay, Greenbrier local park. This is, again, a new project on providing a new local park
34 on a 25 acre tract of undeveloped parkland on Glen Road in Potomac as recommended
35 by the Potomac master plan. This is in fiscal years '10, '11 and '12, and the Committee
36 recommended approval, as did the Executive at the request of Park and Planning.
37 PLAR local parks support the PDF as submitted. Again, this is to replace or renovate
38 aging, unsafe, or obsolete local park facilities. There is a continued backlog of this and
39 we hope this will make a continued dent in the backlog. Restoration of historic
40 structures on page 20, again, supporting the PDF as submitted, we would like to have a
41 review of the strategic plan after budget. It's spread out over six years, but we have not
42 really reviewed the draft plan from artifact to attraction a strategic plan for Cultural
43 resources in parks, which we'll take up after budget. Takoma/Piney Branch local park,
44 again, submits the PDF as submitted. Councilmember Floreen recommended that the
45 city of Tacoma park be required to contribute to the cost of the project. This is to the



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1 skateboard park only, skateboard park piece of this, right. Which was like 75 grand or
2 something, I think. All right, projects to be considered on a consent calendar basis are
3 on pages 22, 23 and 24. Speak now or forever hold your peace. That's the committee's
4 recommendations.

5
6 Council President Leventhal,

7 Okay, very good. We appreciate it, Mr. Chairman. And that concludes today's session of
8 the County Council. We stand in recess until the hour of 7:30 when we will have a public
9 hearing on the CIP amendment regarding seven locked elementary schools. Which will
10 be on the third floor tonight at 7:30.

11
12 Derick Berlage,

13 Thank you very much.
14